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# PUBLIC HEALTH REPORTS

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No. 1

## INFLUENZA REPORTED EPIDEMIC.

During the last few weeks what is reported to be influenza has become epidemic in practically all parts of the United States. It is present from the Atlantic seaboard to the Pacific coast and has spread even to such regions as central New Mexico. The reports of service officers stationed in various parts of the country in regard to the prevalence of the disease will be found on pages 14-17.

## POLLUTION OF STREAMS BY MUNICIPAL SEWAGE.

DAMAGES AWARDED AGAINST A CITY BECAUSE OF THE POLLUTION OF A STREAM.

The village of Batavia, N. Y., emptied its sewage into a stream. Suit for damages was brought against the city by property owners. The evidence showed that the stream was seriously polluted. In affirming the judgment awarding damages the appellate division of the New York Supreme Court said: "The inhabitants of a city or village, collectively, have no more right to pollute the waters of a stream than a single individual, and where a city empties its sewer system into a living stream, as the defendant has done in this case, and damage results to the riparian owners, it must respond in damages. If such acts are continued, and a proper case is made out, an injunction should issue restraining such unlawful acts; and if the village persists in defiance of the injunction, the village and local authorities responsible for such violation should be punished for contempt."

The opinion is published on page 29 of this issue of the Public Health Reports.

## CONVICTION FOR FAILURE TO REPORT DISEASE.

A DETROIT PHYSICIAN CONVICTED AND FINED FOR FAILURE TO REPORT A CASE OF DIPHTHERIA.

On November 8, 1915, complaint was made to the health department of the city of Detroit, Mich., that there was at a certain address a case of communicable disease and that the house had not been

placarded. Investigation by the health department showed that the disease was diphtheria and that the case had not previously been reported.

The physician in attendance stated that he had treated the patient for 10 days for tonsillitis or quinsy; that on November 5 he suspected that the disease might be diphtheria and attempted to report by telephone to the health department, but failed to do so, as "the line was busy." He made no further attempt to report the case until after the investigation by the health department on the 8th.

He was found guilty in the police court of failing to report the case, and a fine of \$10 was imposed.

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## STANDARDS FOR MILK.

### THEIR NECESSITY TO THE WELFARE OF THE DAIRY INDUSTRY.<sup>1</sup>

By JOHN F. ANDERSON, President, American Public Health Association.

This paper is a discussion of why standards for milk are necessary to the welfare of the milk industry, and in the beginning it is desired to present a clear idea of what kind of standards is meant.

Milk is one of the few articles of food to which two kinds of standards are applicable and for which two kinds of standards are essential. One of these standards is the chemical standard by which to judge the food value of milk and has for its prime purposes to prevent fraud on the part of the dealer and to insure the purchaser's receiving the number of food units for which he pays. This standard is of but slight sanitary importance.

The other, and the more important, standard is that by which to measure the sanitary quality of the milk, or the standard of decency and health of the dairymen and cows producing it. While the methods used for its application are not as yet as exact as those for the chemical standard they are nevertheless sufficiently so to serve our purpose.

When a farmer has an apple orchard he expects to sell his apples on grade—a higher price for the best, a lower for the others; he never expects to sell all for the same price. It is the same when eggs are sold; they are sold strictly on grade—the freshest and those delivered to the consumer most quickly after being laid command the highest price, those not so fresh a lower price, and so on; and when the best are mixed with the others the price is that of an inferior grade.

When the farmer comes to sell his milk to the dealer and the dealer to sell it to the consumer, what do we find is the usual practice? As a rule, the good milk is mixed with the bad and sold for one price

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<sup>1</sup> Read before the meeting of the International Association of Dairy and Milk Inspectors held at Washington, D. C., Oct. 27, 1915.

and that price is generally less than the price the good milk should bring. The bad milk should not be sold at all.

Now let us consider in detail some of the various phases of this one-quality, one-price practice of selling milk and the effect it has upon the improvement of the sanitary quality of the milk supply and upon the future of the milk industry. For purposes of discussion it is convenient to consider this under several headings:

1. In every community the market milk contains milk of several degrees of excellence. Some of it is very clean and of good sanitary quality; some (and often most of it) is very dirty and therefore of poor sanitary quality. In other words, some of it is safe and some of it dangerous to the health of the consumer, but all of it may be selling under one label and at one price.

You do not need to be told that this is so, for each of you can recall, from personal experience, communities in which there are dairy farms producing milk under the intelligent supervision of decent, careful, and honest farmers, and you know that such milk is clean and safe. You can also recall dairy farms on which milk is produced from ill-kept and perhaps diseased cows, handled in a slipshod manner, not refrigerated, and dirty. Such milk is dangerous to the consumer. But the milk from the good farm is sold to the same dealer as the milk from the bad farm, the two are mixed, and the good milk is made bad. The result of this "one-quality, one-price" method of selling milk is that the good milk is sold for less than it is worth, the bad milk is permitted to be sold (when it should not be sold, at least not for food purposes), and the sanitary quality of the entire milk supply is lowered to the level of the worst entering into its makeup.

2. In every community some dairy farms and dairy farmers are better than others—cleaner, more decent, and produce cleaner milk; but usually the milk of the clean dairymen is dumped into the same tank with the milk of their dirty neighbors and the clean farmer gets no higher price for his clean and safe milk than the dirty farmer gets for his dirty and unsafe milk.

Again, the "one-quality, one-price" puts a premium on slipshod methods and slipshod farmers, and fails to reward the decent and careful farmer, who uses intelligence in the production of his milk and wants to produce and sell a clean, safe milk, a milk that can be consumed by babies and children with safety. The result is that the decent farmer loses his incentive to improve his herd and his barns and to introduce modern methods. Unless such men are supported by the decent dealers they gradually drop to the level of their more shiftless neighbors.

3. In every community some milk dealers are more decent and more honest than others. They desire to sell the best kind of milk, but are confronted by the fact that the bad milk sold by indecent

and dishonest dealers brings the same price and carries the same label as good milk.

Again we see the working of the "one-quality, one-price" system. These decent and honest dealers strive to keep their plant in a sanitary condition, refrigerate their milk, thoroughly clean and sterilize their utensils and bottles, and endeavor to make contracts with the decent and honest farmers who produce a clean and safe milk; but on account of the competition of the indecent and dishonest dealers, fostered and protected by the "one-quality, one-price" system, are put to an obvious disadvantage. The indecent and dishonest dealer is protected in his sale of dirty and dangerous milk, while the decent and honest dealer is hindered in his efforts to provide for his customers a clean, safe milk.

This condition is such a familiar one that we all can recall communities in which the conditions are as those recited. We even know municipalities where the poor milk is sold to hospitals and asylums because under the one-label, one-price system one kind of milk appears to be as good as another.

4. In every community there are some milk consumers who value decency and safety more than others, and are prepared and want to buy the best milk, but are unable to locate it because all milk offered for sale is labeled the same and is sold for the same price.

It is certainly a fact that there are persons who either through ignorance or for other reasons do not care whether the milk they buy is clean and safe or whether it is not clean and safe. To them all milk is the same. The majority of milk consumers, however, want clean, safe milk. They want a milk that is free from disease germs and that they can give to their children and can themselves use. They want the best milk, but on account of the operation of the "one-quality one-price" system they can not distinguish between the clean, safe milk and the dirty, unsafe milk. They have no difficulty, however, in getting the best quality of eggs when such are wanted, as eggs are not sold under the "one-quality one-price" system but are sold on grade. When those of the community who value decency and safety become sufficiently aroused to demand that a distinction be made between the good and the bad milk it sometimes happens that the decent dealers are enabled to provide a safe milk at an increased price.

5. This deadlock of "one quality one price" is tacitly fostered by boards of health and milk inspectors who have followed the false theory that "the entire milk supply must be elevated at the same time."

In most communities this is not possible; it is much easier to lift one end of a big board than to lift the whole board. In many places the authorities who have under their jurisdiction the control of the



milk supply seem to think that the only way to improve the milk supply is to raise the level of the entire supply at the same time. They do not seem to grasp the fact that by breaking away from the "one-quality one-price" system and by fostering the efforts of those dealers who want to sell a clean, safe milk at a higher price the elevation of the entire supply is made possible in a reasonable time. As soon as the people find that they can buy a clean and safe milk and the dealers find that they can get a higher price for such milk we at once begin to establish grades of milk. When this is done it will be found that it will not be difficult to convince the dealers of the advantage of providing for safe milk selling at a higher price than the bulk of the milk sold. There can be no question that the production of so-called certified milk has been one of the biggest factors in the improvement of the general milk supply, and this in spite of the fact that certified milk is less than one per cent of the total milk supply; but wherever certified milk is sold, that place at once has forced upon it grades of milk, and grades of milk mean that the milk supply is composed of milk of varying degrees of excellence and sold for prices varying with its sanitary quality.

After having briefly discussed some of the causes that have to do with the present unsatisfactory condition of the milk supply in many of our cities and towns, the writer will now consider how, in his opinion, these causes can be removed and how the welfare of the dairy industry can be promoted.

As he has endeavored to point out, the greatest single obstacle to the improvement of the milk supply is the "one-quality one-price" system of selling milk; or, in other words, the lack of grades of milk, the best grade bringing the highest price, the lower grades a lower price. Therefore, the remedy is milk grades based upon milk standards.

The grading of milk and the establishment and enforcement of standards enables us at once to distinguish clean milk from dirty milk, the clean farmer from the dirty farmer, the clean dealer from the dirty dealer, the consumer of clean milk from the consumer of dirty milk. This system puts a label on each grade, so that the buyer may choose; it breaks up the "one-quality one-price" system and creates several qualities at several prices; it stimulates the production and sale of better milk by establishing a better price.

It has always been one of the things which the writer could never understand why the idea seems so deeply rooted in many of those who have to do with the milk industry—producers, inspectors, and consumers—that the farmer or the dealer who sells a clean milk and therefore a safe milk should not receive a higher price than his neighbor receives for a dirty, unsafe milk. The establishment of grades and standards for milk will cause this idea to disappear.

In December, 1910, there was held in New York City a meeting participated in by the various groups interested in the welfare of the milk industry. There were present at the meeting and took part in the program dairy farmers, milk dealers, health authorities, and consumers. As a result of the discussions at this meeting it was apparent that the time had come for an organized effort to be made to establish and enforce grades and classes of milk. The New York milk committee, which is a voluntary organization working in the interests of improving the milk supply of New York City, decided in the following spring to appoint and finance a commission on milk standards. This decision was the direct result of the observation of the New York milk committee, emphasized by the meeting of the fall before, that there were great incompleteness and lack of uniformity in the milk standards, milk ordinances, and rules and regulations of public health authorities throughout the country for the control of public milk supplies. There was a need that health officers should be furnished ordinances drawn from large experience and mature judgment and that ordinances should be as free from erroneous positions and as uniform for the different sections of the country as possible.

From a list of over 200 names of men of prominence in medicine, sanitation, and public health, of laboratory workers, and those recognized as authorities on the milk question, 20 names were finally selected and those 20 men were asked to accept appointment on the commission on milk standards. The first report of the commission was not published until after its third meeting, one year after the organization of the commission; the second and amended report was published a year later. Both these reports were published by the United States Public Health Service.<sup>1</sup>

In its report the commission stated that "Proper milk standards, while they are essential to efficient milk control by public health authorities and have as their object the protection of the milk consumer, are also necessary for the ultimate well-being of the milk industry itself. Public confidence is an asset of the highest value in the milk business. The milk producer is interested in proper standards for milk, since those contribute to the control of bovine tuberculosis and other cattle diseases and distinguish between the good producer and the bad producer. The milk dealer is immediately classified by milk standards, either into a seller of first-class milk or a seller of second-class milk, and such distinction gives to the seller of first-class milk the commercial rewards which he deserves, while it inflicts just penalties on the seller of second-class milk. For milk consumers, the setting of definite standards accompanied by proper labeling makes it possible to know the character of the milk which is

<sup>1</sup> Public Health Reports, vol. 27, No. 19, May 10, 1912, pp. 673-700, and vol. 28, No. 34, Aug. 22, 1913, pp. 1733-1756.

purchased and to distinguish good milk from bad milk. In the matter of public health administration, standards are absolutely necessary to furnish definitions around which the rules and regulations of city health departments can be drawn and the milk supply efficiently controlled."

Throughout all of the deliberations of the commission it was recognized that bacterial testing, using for the purpose the "bacterial count," was the most important single factor in grading milk. It was clearly understood that the bacterial count should be used only with a full understanding of its limitations, but those limitations all put together fail to shake or impair the consistency of the bacterial count when properly applied to the grading of milk. Isolated instances of wide discrepancies disappear when laboratories use uniform methods and do a sufficient number of examinations. The parallel between clean dairy farmers, proper refrigeration, efficient pasteurization, and the bacterial content, is constant and convincing.

The grades decided upon by the commission on milk standards are only three. It is, of course, obvious that there may be many degrees of excellence in milk between the highest and the lowest, but three grades are ample to properly classify the milk supply of any community. The standards must of necessity be decided upon somewhat arbitrarily, but experience has shown us certain limits within which milks of known sanitary quality may be defined. We must in each grade indicate only the minimum, for in each grade there may be milk much better than the minimum. It happens that some communities because of more favorable conditions may have more rigorous standards than others. Thus grade "A" milk in New York City may have a limit of 200,000 bacteria per cc., while grade "A" milk in Syracuse may have a limit of 10,000 per cc.

The grading of milk and the establishment of standards have justified themselves in New York City. The writer is informed that over 20 per cent of the milk supply of that great city is "Grade A, Pasteurized" and sells for 10 cents a quart. Many other cities throughout the country are establishing grades, while New York State has established grades for all cities and villages.

What the grades for milk should be will not be discussed here, as the grading of milk within certain limits is governed by local conditions. But it is desired to emphasize that it is the belief of the writer that no raw milk should be allowed in any grade except the better classes of grade A.

Any community so minded can experience the rapid growth of a clean and safe milk supply as the result of the establishment of grades and the enforcement of milk standards, because the clean and honest farmers by reason of the increased financial return are encouraged to produce and to sell clean milk to the clean and honest dealer. These

latter, by reason of the use of the label signifying a higher quality of milk, can sell this better milk at an increase to those customers who value cleanliness and safety. A more general production of clean milk is encouraged and brought about in any community through the individuality and identification given to clean milk by the distinctive label indicating its superior quality and the greater market value of such milk. The production of a special or limited class of milk is not here meant, but an increase in the supply of the regular market milk which is already clean or capable of being made clean, but the production of which is discouraged by the fact that under existing conditions this milk can not be recognized by the consumer and given the preference by him which it would be given if he could recognize it by means of the label or other identifying mark.

## PLAGUE-PREVENTION WORK.

### LOUISIANA—NEW ORLEANS—PLAGUE ERADICATION.

The following reports of plague-eradication work at New Orleans were received from Surg. Creel, of the United States Public Health Service, in charge of the work:

WEEK ENDED DEC. 18, 1915.

OUTGOING QUARANTINE.		LABORATORY OPERATIONS.	
Vessels fumigated with sulphur.....	9	Rodents received, by species:	
Vessels fumigated with carbon monoxide..	18	Mus rattus.....	151
Vessels fumigated with cyanide gas.....	6	Mus norvegicus.....	919
Sulphur used, pounds.....	1,804	Mus alexandrinus.....	192
Coke consumed in carbon-monoxide fumigation, pounds.....	25,700	Mus musculus.....	8,073
Cyanide used in cyanide-gas fumigation, pounds.....	106	Wood rats.....	174
Sulphuric acid used in cyanide-gas fumigation, pints.....	159	Musk rats.....	95
Clean bills of health issued.....	34	Putrid (included in enumeration of species).....	87
Foul bills of health issued.....	5	Total rodents received at laboratory.....	9,604
FIELD OPERATIONS.		Rodents examined.....	2,302
Rats trapped.....	9,445	Suspicious rats.....	33
Premises inspected.....	6,510	Plague rats confirmed.....	None.
Notices served.....	835	Last case of human plague, Sept. 8, 1915.	
Garbage cans installed.....	9	Last case of rodent plague, Dec. 11, 1915.	
BUILDINGS RAT PROOFED.		Total number of rodents captured to Dec. 18	544,119
By elevation.....	66	Total number of rodents examined to Dec. 18.....	310,393
By marginal concrete wall.....	89	Total cases of rodent plague to Dec. 18, by species:	
By concrete floor and wall.....	86	Mus musculus.....	5
By minor repairs.....	226	Mus rattus.....	18
Total buildings rat proofed.....	467	Mus alexandrinus.....	9
Square yards of concrete laid.....	8,163	Mus norvegicus.....	238
Number of lots and sheds, planking removed.....	120	Total rodent cases to Dec. 18, 1915...	270
Number of buildings demolished.....	30		
Total buildings rat proofed to date (abated).	96,974		

## WEEK ENDED DEC. 25, 1915.

## OUTGOING QUARANTINE.

Vessels fumigated with sulphur.....	9
Vessels fumigated with carbon-monoxide..	8
Vessels fumigated with cyanide gas.....	3
Sulphur used, pounds.....	925
Coke consumed in carbon-monoxide fumigation, pounds.....	11,100
Cyanide used in cyanide-gas fumigation, pounds.....	94
Sulphuric acid used in cyanide-gas fumigation, pints.....	141
Clean bills of health issued.....	24
Foul bills of health issued.....	3

## FIELD OPERATIONS.

Rodents trapped.....	7,251
Premises inspected.....	5,850
Notices served.....	824
Garbage cans installed.....	2

## BUILDINGS RAT PROOFED.

By elevation.....	85
By marginal concrete wall.....	103
By concrete floor and wall.....	76
By minor repairs.....	247
Total buildings rat proofed.....	511
Square yards of concrete laid.....	5,450
Number of premises, planking and shed flooring removed.....	115
Number of buildings demolished.....	33
Total buildings rat proofed to date (abated).....	97,485

## LABORATORY OPERATIONS.

Rodents received, by species:	
Mus rattus.....	102
Mus norvegicus.....	715

## LABORATORY OPERATIONS—continued.

Rodents received, by species—Continued.	
Mus alexandrinus.....	188
Mus musculus.....	6,447
Wood rats.....	208
Musk rats.....	118
Putrid (included in enumeration of species).....	48
Total rodents received at laboratory.....	7,778
Rodents examined.....	1,890
Number of rats suspected of plague.....	25
Plague rats confirmed.....	1

## PLAGUE RAT.

## Case No. 271:

Address, Elevator "E" (outside).

Captured, Nov. 26, 1915.

Diagnosis confirmed, Dec. 21, 1915.

Treatment of premises, intensive trapping; elevation of loose material about the railroad yards.

Last case of human plague, Sept. 8, 1915.

Last case of rodent plague, Dec. 21, 1915.

Total number of rodents captured to Dec. 25..... 551,370

Total number of rodents examined to Dec. 25..... 312,283

Total cases of rodent plague to Dec. 25, by species:

Mus musculus.....	6
Mus rattus.....	18
Mus alexandrinus.....	9
Mus norvegicus.....	238

Total rodent cases to Dec. 25, 1915..... 271

## WASHINGTON—SEATTLE—PLAGUE ERADICATION.

The following reports of plague-eradication work at Seattle were received from Surg. Lloyd, of the United States Public Health Service, in charge of the work:

## WEEK ENDED NOV. 20, 1915.

## RAT PROOFING.

New buildings inspected.....	15
New buildings reinspected.....	25
Basements concreted, new buildings (27,450 square feet).....	18
Floors concreted, new buildings (32,650 square feet).....	12
Yards, etc., concreted, new buildings (7,775 square feet).....	8
Sidewalks concreted (square feet).....	4,750
Total concrete laid, new structures (square feet).....	72,625
New buildings elevated.....	4
New premises rat proofed, concrete.....	30
Old buildings inspected.....	3
Buildings razed.....	4

## LABORATORY AND RODENT OPERATIONS.

Dead rodents received.....	15
Rodents trapped and killed.....	382
Rodents recovered after fumigation.....	28
Total.....	425
Rodents examined for plague infection.....	311
Rodents proven plague infected.....	None.
Poison distributed, pounds.....	13
Bodies found plague infected.....	None.
Bodies examined for plague infection.....	1

## CLASSIFICATION OF PRESENTS.

Mus rattus.....	25
Mus alexandrinus.....	119
Mus norvegicus.....	175
Mus musculus.....	109



## WEEK ENDED NOV. 20, 1915—continued.

## WATER FRONT.

Vessels inspected and histories recorded....	15
Vessels fumigated.....	2
Sulphur used, pounds.....	1,900
New rat guards installed.....	4
Defective rat guards repaired.....	32
Fumigation certificates issued.....	2
Port sanitary statements issued.....	41

The usual day and night patrol was maintained to enforce rat guarding and fending.

## MISCELLANEOUS WORK.

Rat-proofing notices sent to contractors, new buildings.....	14
Letters sent in re rat complaints.....	7
Lectures delivered, plague suppressive measures.....	1

## RODENTS EXAMINED IN EVERETT.

Mus norvegicus trapped.....	48
Mus musculus trapped.....	2
Total.....	50
Rodents examined for plague infection.....	50
Rodents proven plague infected.....	None.

## RAT-PROOFING OPERATIONS IN EVERETT.

New buildings inspected.....	4
New buildings, concrete foundations.....	3
New buildings elevated 18 inches.....	1
New buildings, floor concreted (300 square feet).....	1
New buildings, yards concreted (98 square feet).....	1
Total concrete laid, new buildings (square feet).....	398

## WEEK ENDED NOV. 27, 1915.

## RAT PROOFING.

New buildings inspected.....	9
New buildings reinspected.....	32
Basements concreted, new buildings (13,250 square feet).....	12
Floors concreted, new buildings (18,725 square feet).....	15
Yards, etc., concreted, new buildings (1,275 square feet).....	2
Sidewalks concreted (square feet).....	9,560
Total concrete laid, new structures (square feet).....	42,810
New buildings elevated.....	4
New premises rat proofed, concrete.....	27
Buildings razed.....	2

## LABORATORY AND RODENT OPERATIONS.

Dead rodents received.....	9
Rodents trapped and killed.....	351
Rodents recovered after fumigation.....	12
Total.....	372
Rodents examined for plague infection.....	272
Rodents proven plague infected.....	None.
Poison distributed, pounds.....	14
Bodies examined for plague infection.....	5
Bodies found plague infected.....	None.

## CLASSIFICATION OF RODENTS.

Mus rattus.....	26
Mus alexandrinus.....	47
Mus norvegicus.....	224
Mus musculus.....	75

## WATER FRONT.

Vessels inspected and histories recorded.....	9
Vessels fumigated.....	2
Sulphur used, pounds.....	2,350
New rat guards installed.....	5
Defective rat guards repaired.....	19
Fumigation certificates issued.....	2
Port sanitary statements issued.....	42
The usual day and night patrol was maintained to enforce rat guarding and fending.	

## MISCELLANEOUS WORK.

Rat-proofing notices sent to contractors, new buildings.....	17
Letters sent in re rat complaints.....	6

## RODENTS EXAMINED IN EVERETT.

Mus norvegicus trapped.....	58
Mus norvegicus found dead.....	1
Mus musculus trapped.....	9
Total.....	68
Rodents examined for plague infection.....	61
Rodents proven plague infected.....	None.

## RAT-PROOFING OPERATIONS IN EVERETT.

New buildings inspected.....	4
New buildings, concrete foundations.....	2
New buildings, elevated 18 inches.....	2
New buildings, basements concreted (square feet, 1,092).....	1
New buildings, floors concreted (square feet, 1,500).....	1
Total concrete laid, new buildings (square feet).....	2,592

## WEEK ENDED DEC. 4, 1915.

## RAT PROOFING.

New buildings inspected.....	19
New buildings reinspected.....	28
Basements concreted, new buildings (square feet, 14,525).....	15
Floors concreted, new buildings (square feet, 21,750).....	22
Yards, etc., concreted, new buildings (square feet, 1,500).....	2
Sidewalks concreted, 2,725 square feet.	
Total concrete laid, new structures (square feet.).....	43,500
New buildings elevated.....	4
New premises rat proofed, concrete.....	37
Old buildings inspected.....	3
Wooden floors removed, old buildings.....	2
Buildings razed.....	2

## LABORATORY AND RODENT OPERATIONS.

Dead rodents received.....	12
Rodents trapped and killed.....	433
Rodents recovered after fumigation.....	18
Total.....	463
Rodents examined for plague infection.....	338
Rodents proven plague infected.....	1
Poison distributed, pounds.....	30
Bodies examined for plague infection.....	6
Bodies found plague infected.....	None.

## CLASSIFICATION OF RODENTS.

<i>Mus rattus</i> .....	18
<i>Mus alexandrinus</i> .....	42

## CLASSIFICATION OF RODENTS—continued.

<i>Mus norvegicus</i> .....	311
<i>Mus musculus</i> .....	74
Unclassified.....	18

## WATER FRONT.

Vessels inspected and histories recorded.....	12
Vessels fumigated.....	3
Sulphur used, pounds.....	2,750
New rat guards installed.....	5
Defective rat guards repaired.....	22
Fumigation certificates issued.....	3
Port sanitary statements issued.....	50

The usual day and night patrol was maintained to enforce rat guarding and fending.

## MISCELLANEOUS WORK.

Public health lectures delivered.....	
Rat-proofing notices sent to contractors, N. B.	26
Letters sent in rerat complaints.....	5

## RODENTS EXAMINED IN EVERETT.

<i>Mus norvegicus</i> trapped.....	40
<i>Mus musculus</i> trapped.....	11
Total.....	51
Rodents examined for plague infection.....	47
Rodents proven plague infected.....	None.

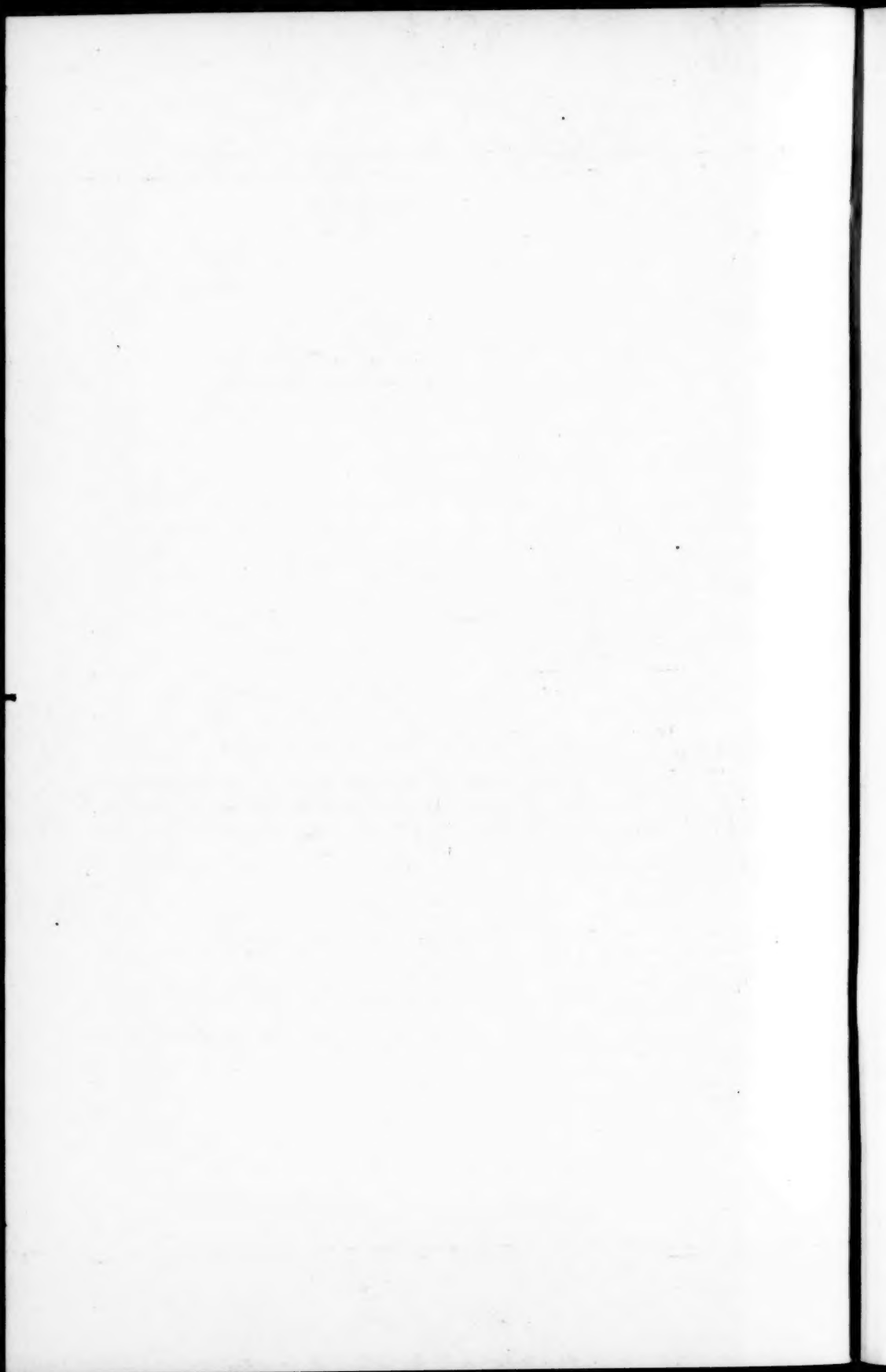
## RAT-PROOFING OPERATIONS IN EVERETT.

New buildings inspected.....	3
New buildings with concrete foundations....	2
New buildings elevated 18 inches.....	1

## HAWAII—HONOLULU—PLAGUE PREVENTION.

The following report of plague-prevention work at Honolulu for the week ended December 11, 1915, was received from Surg. Trotter, of the United States Public Health Service:

Total rats and mongoose taken.....	440	Classification of rats killed by sulphur dioxide:	
Rats trapped.....	385	<i>Mus alexandrinus</i> .....	4
Mongoose trapped.....	2	<i>Mus rattus</i> .....	1
Rats shot from trees.....	48	Average number of traps set daily.....	984
Rats killed by sulphur dioxide.....	5	Cost per rat destroyed, 17½ cents.	
Examined microscopically.....	364	Last case rat plague Aiea, 9 miles from Honolulu,	
Showing plague infection.....	None.	Apr. 12, 1910.	
Classification of rats trapped:		Last case human plague, Honolulu, July 12, 1910.	
<i>Mus alexandrinus</i> .....	132	Last case rat plague (Kalopaa Saloon) Paaauhau,	
<i>Mus musculus</i> .....	150	Hawaii, Dec. 2, 1915.	
<i>Mus norvegicus</i> .....	68	Last case human plague Honokaa village, Hawaii,	
<i>Mus rattus</i> .....	35	Dec. 1, 1915.	
Classification of rats shot from trees:			
<i>Mus alexandrinus</i> .....	36		
<i>Mus rattus</i> .....	12		



# PREVALENCE OF DISEASE.

*No health department, State or local, can effectively prevent or control disease without knowledge of when, where, and under what conditions cases are occurring.*

## UNITED STATES.

### CEREBROSPINAL MENINGITIS.

State Reports for November, 1915.

Place.	New cases reported.	Place.	New cases reported.
California:		Iowa—Continued.	
Fresno County—		Webster County.....	1
Clovis.....	1	Total.....	3
San Francisco County—			
San Francisco.....	1	Texas:	
Total.....	2	Dallas County—	
Iowa:		Dallas.....	1
Jasper County.....	1	Virginia:	
Polk County.....	1	Orange County.....	1

City Reports for Week Ended Dec. 18, 1915.

Place.	Cases.	Deaths.	Place.	Cases.	Deaths.
Baltimore, Md.....		1	New Orleans, La.....	1	
Boston, Mass.....	3	1	New York, N. Y.....	2	1
Buffalo, N. Y.....	1		Pittsburgh, Pa.....	1	
Chicago, Ill.....	2	2	Portland, Oreg.....		1
Cincinnati, Ohio.....	1		Providence, R. I.....	1	
Cleveland, Ohio.....	2		Schenectady, N. Y.....	1	
Dayton, Ohio.....	2	1	Troy, N. Y.....		1
Nashville, Tenn.....		1			

### DIPHTHERIA.

See Diphtheria, measles, scarlet fever, and tuberculosis, page 23.

### ERYSIPELAS.

City Reports for Week Ended Dec. 18, 1915.

Place.	Cases.	Deaths.	Place.	Cases.	Deaths.
Akron, Ohio.....	1		Milwaukee, Wis.....	2	
Boston, Mass.....		2	Newark, N. J.....	2	
Brockton, Mass.....	1		New Castle, Pa.....	1	
Buffalo, N. Y.....	5		New York, N. Y.....		7
Chicago, Ill.....	17	3	Philadelphia, Pa.....	11	1
Cincinnati, Ohio.....	1		Pittsburgh, Pa.....	12	1
Cleveland, Ohio.....	7	1	Portland, Oreg.....	7	1
Dayton, Ohio.....	1		Reading, Pa.....	1	
Detroit, Mich.....	7		Rochester, N. Y.....	2	
Duluth, Minn.....	1		St. Louis, Mo.....	7	
Erie, Pa.....	3		St. Paul, Minn.....	1	
Hartford, Conn.....	1		San Francisco, Cal.....	1	1
Lawrence, Mass.....	1		Springfield, Ill.....	1	
Los Angeles, Cal.....	2				

## **GONORRHEA.**

### **California Report for November, 1915.**

During the month of November, 1915, 25 cases of gonorrhea were notified in the State of California.

## **INFLUENZA.**

### **Reported Widely Prevalent in the United States.**

Officers of the Public Health Service have reported on the unusual prevalence of what is said to be influenza in various parts of the United States during the last week in December and the first week in January, as shown by the following reports. The disease is undoubtedly epidemic in many places from which no reports have been received, as a large number of cases of a malady can exist in a community without their presence being known or the existence of an epidemic suspected unless the local health department makes it its business to keep currently informed in regard to such matters.

#### **Arkansas.**

Collaborating Epidemiologist Garrison reported January 3, 1916: Influenza prevalent in Little Rock and all over State.

#### **California—Los Angeles.**

Senior Surg. Brooks reported December 31, 1915: Extensive epidemic influenza of moderate severity began about two months ago; not much diminished.

#### **California—San Diego.**

Surg. Carrington reported December 31, 1915: Influenza not epidemic in this locality. A few cases have been imported recently, but not being notifiable the exact number is unknown.

#### **California—San Francisco.**

Surg. Williams reported December 31, 1915: Secretary State Medical Society, Lane Hospital, and University Hospital, report influenza widespread and severe. Bacillus isolated. Dr. J. Henry Barbat says most severe epidemic since 1891. Some severe cases at Exposition Hospital, and many mild ones in Marine Hospital recently. Several other hospitals have no information. Local board of health can give no information until Monday.

#### **Georgia—Savannah.**

Passed Asst. Surg. Ridlon reported December 31, 1915: Pulmonary infections prevalent. Two deaths influenza, 22 deaths pneumonia, December 1 to 30.



**Illinois—Cairo.**

Senior Surg. Gassaway reported January 1, 1916: Influenza present, probably 500 cases.

**Illinois—Chicago.**

Surg. Cobb reported December 31, 1915: Influenza not a reportable disease. This week so far reported 57 deaths from influenza, last week 30 deaths. Fourteen hundred and forty cases pneumonia reported this month, 666 deaths, 201 deaths within the last four days.

**Kansas—Topeka.**

Collaborating Epidemiologist Crumbine reported January 3, 1916: Influenza epidemic, widely prevalent over Kansas, especially severe in Topeka, 700 Santa Fe shopmen unable to work last week.

**Kentucky—Louisville.**

Passed Asst. Surg. Herring reported January 4, 1916: Board of Health estimates 2,400 cases influenza Louisville. Slight increase pneumonia morbidity to date.

**Louisiana—New Orleans.**

Surg. von Ezdorf reported December 31, 1915: City health officer reports 66 deaths from influenza this month, 11 deaths reported November.

**Maryland—Baltimore.**

Collaborating Epidemiologist Fulton reported January 3, 1916: Influenza probably epidemic in Baltimore and other parts of Maryland.

**Massachusetts—Boston.**

Surg. Brown reported December 31, 1915: Board of Health Boston reports pneumonia cases doubled, influenza epidemic. Not considered serious.

**Michigan—Detroit.**

Senior Surg. Austin reported December 31, 1915: Influenza not reportable. City health officer reports 25 deaths December. Epidemic, general estimate, 100,000 cases; hospitals crowded, including Marine.

**Minnesota—Minneapolis.**

Collaborating Epidemiologist Bracken reported January 4, 1916: Influenza epidemic in Minnesota.

**Mississippi—Jackson.**

Asst. Surg. Waring reported January 4, 1916: Influenza epidemic in Jackson is reported to be decreasing.

Collaborating Epidemiologist Stingily reported January 3, 1916: Influenza is present throughout the State, but general prevalence of the disease seems to be on the decrease.

**New Mexico—Fort Stanton.**

Surg. Smith reported December 31, 1915: Influenza very prevalent, both along railroad and in mountains; only average severity.

**New York—Stapleton.**

Senior Surg. Stoner reported December 31, 1915: Health department reports widely spread epidemic grippé-like infection simulating influenza, not yet proven bacteriologically, marked increase pneumonia mortality, also mortality of persons over 65, several patients and two attendants of this hospital down with similar infection. Health department sending out warning.

**Ohio—Cleveland.**

Surg. Wille reported December 31, 1915: Influenza, mild type, first reported Cleveland and vicinity December 10. Widespread since December 20. Newspaper estimate number of cases, 100,000.

**Ohio—Columbus.**

Collaborating Epidemiologist McCampbell reported January 4, 1916: Large number cases severe coryza, Columbus and other parts of Ohio. Considerable number cases true influenza. Mortality very low.

**Oregon—Portland.**

Surg. Magruder reported December 31, 1915: Influenza not epidemic, a few severe cases having clinical symptoms of influenza have occurred; bacillus not yet found.

**Pennsylvania—Philadelphia.**

Senior Surg. Irwin reported December 31, 1915: Influenza epidemic here, total deaths five weeks ended to-day 141, 72 deaths last week, number of cases not reported, total cases of pneumonia in December 881, total deaths pneumonia last week 284.

Dr. Irwin further reported January 3, 1916: It is very difficult to estimate the number of cases of influenza in Philadelphia, because of the fact that it is not a reportable disease. However, a great many of the various services of the city have been badly crippled by the number of cases of illness, while the incidence of pneumonia shows a rather serious condition.

As an indication, it may be stated that at one hotel, which has now about a hundred guests, 16 are confined to bed with influenza, while others have it in a milder form. Perhaps one-quarter of the total number of the people in the house have the disease, and this seems to be the case to a greater or less degree in the various hotels of the city. There were reported 408 new cases of pneumonia during the week ended December 31.

**Rhode Island—Providence.**

Passed Asst. Surg. Marshall reported January 1, 1916: Influenza is prevalent in vicinity; deaths, 2.

**South Carolina—Columbia.**

Collaborating Epidemiologist Hayne reported January 4, 1916: Influenza is prevalent in South Carolina, but is of a mild form and not epidemic.

**Tennessee—Memphis.**

Senior Surg. White reported December 31, 1915: Commissioner of health says he estimates seven to eight thousand cases of influenza, but morbidity reports not made. Outbreak declining rapidly.

**Virginia—Norfolk.**

Surg. Young reported December 31, 1915: Influenza is prevalent in Norfolk and vicinity.

**Virginia—Richmond.**

Collaborating Epidemiologist Brumfield reported January 3, 1916: No epidemic of influenza has been officially reported as yet. There is, however, an unusual number of deaths from pneumonia.

**Washington—Port Townsend.**

Passed Asst. Surg. Earle reported December 31, 1915: Influenza is present here in mild form; no deaths, no serious cases.

**Washington—Seattle.**

Surg. Lloyd reported December 31, 1915: Influenza reported epidemic throughout State, including Seattle; moderately severe type; schools partially depopulated many places. Deaths from all causes in Seattle during month of December 15 per cent greater than during similar period last year. Influenza undoubtedly a factor, together with its complications, of which pneumonia is particularly important. Morbidity rate is high.

**LEPROSY.****California Report for November, 1915.**

During the month of November, 1915, 2 cases of leprosy were notified in the State of California.

**MALARIA.****State Reports for November, 1915.**

During the month of November, 1915, cases of malaria were notified in States as follows: California 14, Virginia 519.

**City Reports for Week Ended Dec. 18, 1915.**

During the week ended December 18, 1915, deaths from malaria were reported in cities as follows: Birmingham, Ala., 1; Mobile, Ala., 1.

**MEASLES.**

See Diphtheria, measles, scarlet fever, and tuberculosis, page 23.

**PELLAGRA.****State Reports for November, 1915.**

During the month of November, 1915, cases of pellagra were notified in States as follows: Texas 1, Virginia 35.

**City Reports for Week Ended Dec. 18, 1915.**

Place.	Cases.	Deaths.	Place.	Cases.	Deaths.
Birmingham, Ala.....	.....	1	New Orleans, La.....	1	1
Chattanooga, Tenn.....	.....	1	Norfolk, Va.....	1	1
Dallas, Tex.....	.....	2	Oklahoma City, Okla.....	.....	2
Nashville, Tenn.....	1	1			

**PLAGUE.****Louisiana—New Orleans—Plague-Infected Rat Found.**

Surg. Creel reported that a rat trapped November 26, 1915, near elevator "E," New Orleans, La., was proven positive of plague infection December 28, 1915.

## PNEUMONIA.

## City Reports for Week Ended Dec. 18, 1915.

Place.	Cases.	Deaths.	Place.	Cases.	Deaths.
Binghamton, N. Y.	2	.....	Muscatine, Iowa	1	.....
Birmingham, Ala.	1	5	Newark, N. J.	9	14
Braddock, Pa.	2	.....	New Castle, Pa.	2	.....
Chicago, Ill.	275	108	Newport, Ky.	2	2
Cleveland, Ohio.	48	21	Norfolk, Va.	5	5
Columbus, Ohio.	1	5	Pasadena, Cal.	6	1
Danville, Ill.	3	3	Philadelphia, Pa.	128	122
Dayton, Ohio.	1	7	Pittsburgh, Pa.	38	27
Detroit, Mich.	11	19	Reading, Pa.	3	3
Duluth, Minn.	1	1	Rochester, N. Y.	6	6
Eric, Pa.	1	.....	San Diego, Cal.	1	.....
Grand Rapids, Mich.	4	1	San Francisco, Cal.	12	10
Harrisburg, Pa.	2	3	Saratoga Springs, N. Y.	2	2
Kalamazoo, Mich.	3	1	Schenectady, N. Y.	2	1
Kansas City, Kans.	1	.....	Stockton, Cal.	3	3
Kansas City, Mo.	18	25	Wilmington, N. C.	1	.....
Los Angeles, Cal.	23	13	York, Pa.	1	.....
Manchester, N. H.	2	2			

## POLIOMYELITIS (INFANTILE PARALYSIS).

## State Reports for November, 1915.

Place.	New cases reported.	Place.	New cases reported.
<b>California:</b>		<b>Virginia:</b>	
Fresno County	1	Accomac County	2
Los Angeles County	2	Augusta County	1
Los Angeles	7	Dinwiddie County	1
San Bernardino County—		Culpeper County	1
Needles	1	Gloucester County	1
San Francisco County—		Greensville County	1
San Francisco	1	Henry County	1
Total	12	Lee County	2
<b>Iowa:</b>		Pittsylvania County	1
Bremer County	1	Prince George County	1
O'Brien County	1	Rockingham County	2
Tama County	1	Roanoke County	1
Worth County	1	Surry County	1
Total	4	Total	16

## City Reports for Week Ended Dec. 18, 1915.

Place.	Cases.	Deaths.	Place.	Cases.	Deaths.
Brockton, Mass.	1	.....	New York, N. Y.	.....	1
Buffalo, N. Y.	.....	1	San Francisco, Cal.	.....	1
Chicago, Ill.	2	.....	Waltham, Mass.	.....	1
Newark, N. J.	1	.....	Washington, D. C.	1	.....

## RABIES.

## Alabama—Mobile—Correction.

The report of a death from rabies at Mobile, Ala., noted on page 3695 of the Public Health Reports of December 17, 1915, was an error. The death was due to pneumonia instead of rabies.

## SCARLET FEVER.

See Diphtheria, measles, scarlet fever, and tuberculosis, page 23.



## SMALLPOX.

## Minnesota.

Collaborating Epidemiologist Bracken reported by telegraph that during the week ended January 1, 1916, four new foci of smallpox infection were reported in Minnesota, cases of the disease having been notified as follows: Hubbard County, Crow Wing Lake Township, 1; Jackson County, Middletown Township, 1; Meeker County, Litchfield, 6; Watonwan County, Madelia Township, 3.

## California Report for November, 1915.

Place.	New cases reported.	Deaths.	Vaccination history of cases.			
			Number vaccinated with- in 7 years preceding attack.	Number last vaccinated more than 7 years preced- ing attack.	Number never suc- cessfully vac- cinated.	Vaccination history not obtained or uncertain.
California:						
Imperial County.....	1	.....	.....	.....	.....	1
Los Angeles County.....	1	.....	.....	.....	1	.....
San Bernardino County—	1	.....	.....	.....	1	.....
San Bernardino.....	3	.....	.....	.....	1	2
San Francisco County—	.....	.....	.....	.....	.....	.....
San Francisco.....	1	.....	.....	.....	1	.....
Santa Clara County.....	1	.....	.....	1	.....	.....
Solano County.....	6	.....	1	.....	5	.....
Total.....	14	.....	1	1	9	3

## Miscellaneous State Reports.

Place.	Cases.	Deaths.	Place.	Cases.	Deaths.
Colorado (Nov. 1-30):			Texas (Nov. 1-30):		
Summit County—			Counties—		
Breckenridge.....	1	.....	Cameron.....	18	1
Iowa (Nov. 1-30):			Collingsworth.....	2	.....
Counties—			Denton.....	4	.....
Boone.....	1	.....	Dallas.....	4	.....
Buchanan.....	1	.....	El Paso.....	9	1
Cass.....	5	.....	Hidalgo.....	1	.....
Cherokee.....	41	.....	Kaufman.....	1	.....
Clay.....	1	.....	San Augustine.....	20	.....
Franklin.....	3	.....	Travis.....	4	.....
Fremont.....	38	.....	Tarrant.....	15	.....
Linn.....	10	.....	Williamson.....	15	.....
Plymouth.....	1	.....	Total.....	93	2
Pottawattamie.....	1	.....			
Sac.....	2	.....	Virginia (Nov. 1-30):		
Scott.....	58	.....	Counties—		
Washington.....	1	.....	Charlotte.....	5	.....
Wright.....	8	.....	Lunenburg.....	9	.....
Total.....	171	.....	Norfolk.....	2	.....
Montana (Nov. 1-30):			Prince Edward.....	21	.....
Beaverhead County.....	1	.....	Prince William.....	2	.....
Blaine County.....	2	.....	Rockbridge.....	1	.....
Carbon County.....	11	.....	Spotsylvania.....	1	.....
Cascade County—			Warren.....	2	.....
Great Falls.....	1	.....	Total.....	43	.....
Chouteau County.....	21	.....			
Dawson County.....	5	.....	Wyoming (Oct. 1-31):		
Madison County.....	1	.....	Park County—		
Silver Bow County.....	2	.....	Cody.....	8	.....
Butte.....	13	.....	Wyoming (Nov. 1-30):		
Total.....	57	.....	Park County—		
			Cody.....	4	.....

**SMALLPOX—Continued.****City Reports for Week Ended Dec. 18, 1915.**

Place.	Cases.	Deaths.	Place.	Cases.	Deaths.
Altoona, Pa.	1		Milwaukee, Wis.	2	
Butte, Mont.	2		Oklahoma City, Okla.	2	
Canton, Ohio.	2		Portland, Oreg.	1	
Cincinnati, Ohio.	2		Racine, Wis.	3	
Dallas, Tex.	1		Rock Island, Ill.	1	
Danville, Ill.	7		Saginaw, Mich.	1	
Davenport, Iowa.	7		St. Paul, Minn.	2	
Detroit, Mich.	2		Springfield, Ill.	14	
Evansville, Ind.	18		Toledo, Ohio.	2	
Everett, Wash.	1		Wichita, Kans.	3	
Kansas City, Kans.	4				

**SYPHILIS.****California Report for November, 1915.**

During the month of November, 1915, 25 cases of syphilis were notified in the State of California.

**TETANUS.****City Reports for Week Ended Dec. 18, 1915.**

During the week ended December 18, 1915, tetanus was reported in cities as follows: Cleveland, Ohio, 1 death; Los Angeles, Cal., 1 case; New Orleans, La., 2 deaths.

**TUBERCULOSIS.**

See Diphtheria, measles, scarlet fever, and tuberculosis, page 23.

**TYPHOID FEVER.****State Reports for November, 1915.**

Place.	New cases reported.	Place.	New cases reported.
<b>California:</b>		<b>California—Continued.</b>	
Alameda County—		San Diego County—	8
Hayward	2	San Diego	
Oakland	4	San Francisco County—	17
Butte County	1	San Francisco	
Colusa County	4	Santa Barbara County—	3
Contra Costa County—		Lompoc	2
Richmond	4	Santa Clara County—	
Fresno County—		Sonoma County—	1
Clovis	1	Santa Rosa	
Kern County	1	Tulare County—	1
Bakersfield	2	Porterville	
Taft	2	Ventura County—	1
Los Angeles County—		Santa Paula	
Compton	1		
Los Angeles	18	Total	80
Pasadena	1		
Pomona	3	<b>Montana:</b>	
Marin County	2	Blaine County	9
Monterey County	1	Cascade County	1
Sacramento County—		Great Falls	6
Sacramento	1	Chouteau County	1
San Bernardino County—		Custer County	4
Redlands	2	Dawson County	1

## TYPHOID FEVER—Continued.

## State Reports for November, 1915—Continued.

Place.	New cases reported.	Place.	New cases reported.
<b>Montana—Continued.</b>		<b>Virginia—Continued.</b>	
Fergus County.....	2	Culpeper County.....	2
Flathead County.....	9	Cumberland County.....	1
Kalispell.....	4	Dinwiddie County.....	1
Gallatin County.....	1	Petersburg.....	1
Hill County.....	7	Essex County.....	1
Powell County.....	1	Elizabeth City County.....	1
Prairie County.....	2	Fairfax County.....	6
Teton County.....	1	Fauquier County.....	10
Yellowstone County.....	4	Floyd County.....	2
Billings.....	5	Fluvanna County.....	2
Total.....	58	Franklin County.....	1
<b>Texas:</b>		Frederick County.....	6
Aransas County.....	5	Giles County.....	4
Bastrop County.....	4	Gloucester County.....	2
Bosque County.....	1	Grayson County.....	4
Bell County.....	5	Greensville County.....	1
Coleman County.....	1	Hancock County.....	9
Cooke County.....	2	Henrico County.....	2
Denton County.....	3	Richmond.....	11
Dimmit County.....	1	Henry County.....	24
Donley County.....	1	Highland County.....	7
Dallas County.....	13	James City County.....	3
Eastland County.....	2	King and Queen County.....	1
El Paso County.....	2	King William County.....	1
Ellis County.....	3	Lancaster County.....	2
Fayette County.....	2	Lee County.....	2
Fisher County.....	2	Loudoun County.....	6
Grayson County.....	2	Lunenburg County.....	1
Galveston County.....	10	Madison County.....	1
Hunt County.....	7	Middlesex County.....	2
Hays County.....	9	Montgomery County.....	3
Hutchinson County.....	5	Nansemond County.....	2
Jim Wells County.....	14	Nelson County.....	6
Jackson County.....	1	Northumberland County.....	4
Johnson County.....	1	Northampton County.....	4
Karnes County.....	2	Norfolk County.....	15
Kaufman County.....	1	Orange County.....	2
Kleberg County.....	1	Page County.....	5
Medina County.....	2	Pittsylvania County.....	3
Midland County.....	1	Danville.....	3
McLennan County.....	2	Isle of Wight County.....	2
Montague County.....	4	Prince Edward County.....	1
Navarro County.....	2	Prince William County.....	5
Nueces County.....	2	Powhatan County.....	2
Tarrant County.....	11	Pulaski County.....	1
Williamson County.....	10	Rappahannock County.....	1
Wood County.....	4	Roanoke County.....	4
Total.....	138	Roanoke.....	8
<b>Virginia:</b>		Rockbridge County.....	1
Accomac County.....	19	Rockingham County.....	3
Albemarle County.....	4	Russell County.....	3
Alexandria County.....	1	Scott County.....	9
Alleghany County.....	11	Shenandoah County.....	4
Amherst County.....	12	Spottsylvania County.....	1
Augusta County.....	7	Smyth County.....	4
Bedford County.....	8	Surry County.....	3
Botetourt County.....	1	Sussex County.....	4
Buckingham County.....	6	Tazewell County.....	15
Buchanan County.....	3	Washington County.....	14
Campbell County.....	11	Warwick County.....	2
Carolina County.....	16	Wythe County.....	4
Carroll County.....	1	Southampton County.....	3
Craig County.....	3	Warren County.....	4
		Westmoreland County.....	3
		Wise County.....	10
		Total.....	378

## TYPHOID FEVER—Continued.

## City Reports for Week Ended Dec. 18, 1915.

Place.	Cases.	Deaths.	Place.	Cases.	Deaths.
Akron, Ohio.....	3	1	Madison, Wis.....	1	
Albany, N. Y.....	1		Milwaukee, Wis.....	1	
Baltimore, Md.....	16	1	Morristown, N. J.....	1	
Bayonne, N. J.....	1		Muscatine, Iowa.....	1	
Binghamton, N. Y.....	7	1	Nashville, Tenn.....	4	1
Birmingham, Ala.....		2	Newark, N. J.....	1	
Brockton, Mass.....	1		New Bedford, Mass.....	3	1
Buffalo, N. Y.....	4	2	New Britain, Conn.....	1	
Charleston, S. C.....	2		New Castle, Pa.....	2	
Chattanooga, Tenn.....	2		New London, Conn.....		1
Chicago, Ill.....	20	2	New Orleans, La.....	1	1
Chicopee, Mass.....	1		Newton, Mass.....	1	
Cincinnati, Ohio.....		1	New York, N. Y.....	36	7
Cleveland, Ohio.....	4		Oakland, Cal.....	1	
Columbus, Ohio.....	3	1	Oklahoma City, Okla.....	2	
Dallas, Tex.....	1	1	Philadelphia, Pa.....	20	6
Danville, Ill.....	9	2	Pittsburgh, Pa.....	5	1
Dayton, Ohio.....	3		Portland, Oreg.....	1	
Detroit, Mich.....	4	1	Providence, R. I.....	4	
Duluth, Minn.....	2	1	Reading, Pa.....	2	
East Orange, N. J.....	1		Richmond, Va.....	1	
Everett, Wash.....	1		Rochester, N. Y.....	4	
Fall River, Mass.....	27	1	Sacramento, Cal.....	1	
Galesburg, Ill.....	1		Saginaw, Mich.....	1	
Galveston, Tex.....	4	1	St. Louis, Mo.....	9	2
Grand Rapids, Mich.....	1	2	San Diego, Cal.....	1	
Hartford, Conn.....	1		San Francisco, Cal.....	2	
Indianapolis, Ind.....	7	1	Somerville, Mass.....	1	
Jersey City, N. J.....		2	South Bethlehem, Pa.....	1	
Johnstown, Pa.....	6	1	Spring field, Ohio.....	1	
Kansas City, Kans.....	4		Tacoma, Wash.....	1	
La Crosse, Wis.....	3		Toledo, Ohio.....	5	2
Lawrence, Mass.....	1		Washington, D. C.....	9	
Lincoln, Nebr.....	18	2	Wheeling, W. Va.....	1	1
Little Rock, Ark.....	1		Wichita, Kans.....	2	
Lorain, Ohio.....	2		Wilkes-Barre, Pa.....	1	1
Los Angeles, Cal.....	1		Wilkinsburg, Pa.....	1	
Lowell, Mass.....	6		Wilmington, Del.....	8	
Lynn, Mass.....	1				

## DIPHTHERIA, MEASLES, SCARLET FEVER, AND TUBERCULOSIS.

## State Reports for November, 1915.

State.	Cases reported.			State.	Cases reported.		
	Diphtheria.	Measles.	Scarlet fever.		Diphtheria.	Measles.	Scarlet fever.
California.....	380	47	314	Texas.....	650		417
Iowa.....	61		81	Virginia.....	1,025	144	352
Montana.....	9	84	35				

## DIPHTHERIA, MEASLES, SCARLET FEVER, AND TUBERCULOSIS—Contd.

City Reports for Week Ended Dec. 18, 1915.

City.	Population as of July 1, 1915 (estimated by U. S. Census Bureau).	Total deaths from all causes.	Diphtheria.		Measles.		Scarlet fever.		Tuberculosis.	
			Cases.	Deaths.	Cases.	Deaths.	Cases.	Deaths.	Cases.	Deaths.
Over 500,000 inhabitants:										
Baltimore, Md.	584,605	192	26	2	170	1	28	1	23	17
Boston, Mass.	745,139	255	59	4	53		49		53	14
Chicago, Ill.	2,447,045	740	134	10	90	1	134	5	225	71
Cleveland, Ohio.	656,975	167	75	2	94	1	46	7	29	11
Detroit, Mich.	554,717	201	59		80	1	22		19	14
New York, N. Y.	5,468,190	1,569	326	25	187	5	120	4	311	157
Philadelphia, Pa.	1,683,664	659	66	8	56	1	29		97	52
Pittsburgh, Pa.	571,984	188	30	4	156	3	24		27	13
St. Louis, Mo.	745,988	224	107	5	7		26		23	19
From 300,000 to 500,000 inhabitants:										
Buffalo, N. Y.	461,335	175	20	5	333	3	11		27	15
Cincinnati, Ohio.	405,705	128	19		30		4	1	18	15
Jersey City, N. J.	300,133	83	31	3	6		12		15	9
Los Angeles, Cal.	465,367	128	16		3		6		53	19
Milwaukee, Wis.	428,092	105	28	4	174					
Newark, N. J.	399,000	105	25		138		19		62	14
New Orleans, La.	366,484	168	52	1	1		1		36	23
San Francisco, Cal.	1,416,912	179	26	1	1		14		45	17
Washington, D. C.	358,679	127	46	1	16		6		22	20
From 200,000 to 300,000 inhabitants:										
Columbus, Ohio.	209,722	68	8		1		11		10	6
Indianapolis, Ind.	265,578	83	6		2		16		9	6
Kansas City, Mo.	289,879		10		2		14		4	12
Portland, Oreg.	272,833	50	5		3		7		3	3
Providence, R. I.	250,025	53	21	2	4		13		5	5
Rochester, N. Y.	250,747	77	8	2	15		5		7	4
St. Paul, Minn.	241,999	81	5	1	4		6		8	6
From 100,000 to 200,000 inhabitants:										
Albany, N. Y.	103,580		5		18		5		5	
Birmingham, Ala.	174,108		4				1		4	8
Bridgeport, Conn.	118,434		6		1		6		3	1
Cambridge, Mass.	111,669	37	3		1		5		6	3
Camden, N. J.	104,349						1		5	
Dallas, Tex.	116,605		3		1		16		2	3
Dayton, Ohio.	125,509	46	12		1		17	1	7	6
Fall River, Mass.	126,904	42	1		3		2		9	3
Grand Rapids, Mich.	125,759	41	2		3		4		4	1
Hartford, Conn.	108,969	41	9	1	6				1	2
Lowell, Mass.	112,124	51	11				3		2	2
Lynn, Mass.	100,316	26	3		30		17		1	2
Nashville, Tenn.	115,978	47	1				2		2	2
New Bedford, Mass.	114,694	29	8	2	1		2		4	
New Haven, Conn.	147,095		8	1			2		2	4
Oakland, Cal.	190,803		7				2		3	4
Reading, Pa.	105,094	37	1	2	110	1	5		14	6
Richmond, Va.	154,674	62	8		3		9		1	7
Scranton, Pa.	144,081		15				11			
Springfield, Mass.	103,216	32	4	1	1		5		1	1
Tacoma, Wash.	108,094						2			
Toledo, Ohio.	187,840	67	6		100	2	8		2	6
Trenton, N. J.	109,212	46	9	1	153	3	7		2	8
From 50,000 to 100,000 inhabitants:										
Akron, Ohio.	82,958	31	8				17			1
Altoona, Pa.	57,606	17	2	1						
Atlantic City, N. J.	55,803	8					1		11	
Bayonne, N. J.	67,582		2		3		4		1	
Binghamton, N. Y.	53,082	22	2	1						2
Brockton, Mass.	65,746	20	7	1	4				1	
Canton, Ohio.	59,139	6	5		5		5			
Charleston, S. C.	60,427	49	1							3
Chattanooga, Tenn.	58,576	5	1						1	3
Covington, Ky.	56,520	13	2				1			2
Duluth, Minn.	91,913	23	2				2			1
Erie, Pa.	73,798	22	7				1		7	
Evansville, Ind.	72,125	19	3				1			
Harrisburg, Pa.	70,754	16	2				2			1

1 Population Apr. 15, 1910; no estimate made.



## DIPHTHERIA, MEASLES, SCARLET FEVER, AND TUBERCULOSIS—Contd.

## City Reports for Week Ended Dec. 18, 1915—Continued.

City.	Popula- tion as of July 1, 1915 (estimated by U. S. Census Bureau).	Total deaths from all causes.	Diphtheria.		Measles.		Scarlet fever.		Tuber- culosis.	
			Cases.	Deaths.	Cases.	Deaths.	Cases.	Deaths.	Cases.	Deaths.
From 50,000 to 100,000 inhabit- ants—Continued.										
Hoboken, N. J.	76,104	21	6	.....	8	.....	3	.....	4	1
Johnstown, Pa.	66,585	22	7	1	18	.....	1	.....	3	1
Kansas City, Kans.	96,854	.....	13	1	1	.....	3	.....	2	1
Lancaster, Pa.	50,269	.....	4	.....	.....	.....	.....	.....	.....	.....
Lawrence, Mass.	98,197	37	9	3	36	.....	11	1	5	3
Little Rock, Ark.	55,158	24	3	.....	2	.....	2	.....	.....	.....
Manchester, N. H.	76,959	21	2	.....	3	.....	3	.....	1	1
Mobile, Ala.	56,536	22	1	.....	.....	.....	.....	.....	.....	3
New Britain, Conn.	52,203	.....	3	1	.....	.....	.....	.....	.....	3
Norfolk, Va.	88,076	.....	2	.....	.....	.....	.....	.....	3	3
Oklahoma, Okla.	88,158	14	6	.....	.....	.....	5	.....	2	2
Passaic, N. J.	69,010	17	2	.....	38	2	.....	.....	4	2
Pawtucket, R. I.	58,156	19	4	.....	9	1	1	.....	.....	.....
Rockford, Ill.	53,761	4	2	.....	39	1	4	.....	1	.....
Sacramento, Cal.	64,806	13	.....	.....	.....	.....	.....	.....	.....	1
Saginaw, Mich.	54,815	16	1	.....	.....	.....	4	.....	1	1
San Diego, Cal.	51,115	21	5	1	.....	.....	6	.....	2	2
Schenectady, N. Y.	95,265	22	.....	.....	6	.....	4	.....	13	1
Somerville, Mass.	85,460	22	4	1	6	.....	6	.....	.....	2
South Bend, Ind.	67,030	15	17	2	2	.....	2	.....	.....	.....
Springfield, Ill.	59,468	.....	15	.....	.....	.....	3	.....	.....	3
Springfield, Ohio.	50,804	12	2	.....	.....	.....	4	.....	3	1
Troy, N. Y.	77,738	.....	3	.....	.....	.....	14	.....	.....	2
Wichita, Kans.	67,847	.....	3	.....	2	.....	.....	.....	3	.....
Wilkes-Barre, Pa.	75,218	40	2	.....	1	.....	3	.....	4	2
Wilmington, Del.	93,161	.....	1	.....	1	.....	3	.....	.....	.....
York, Pa.	50,543	.....	.....	.....	.....	.....	.....	.....	1	.....
From 25,000 to 50,000 inhabitants:										
Alameda, Cal.	27,051	2	4	.....	.....	.....	.....	.....	.....	.....
Brookline, Mass.	31,934	.....	4	.....	12	.....	1	.....	.....	.....
Butler, Pa.	26,587	6	2	.....	.....	.....	.....	.....	1	.....
Butte, Mont.	42,918	32	1	.....	1	.....	1	.....	2	4
Chelsea, Mass.	32,452	15	1	1	51	.....	2	.....	.....	1
Chicopee, Mass.	28,688	.....	2	.....	.....	.....	2	.....	2	5
Cumberland, Md.	25,594	10	2	.....	1	.....	.....	.....	1	.....
Danville, Ill.	31,554	16	1	.....	.....	.....	2	.....	3	2
Davenport, Iowa.	47,127	.....	.....	.....	.....	.....	1	.....	.....	.....
East Orange, N. J.	41,155	7	3	.....	6	.....	1	.....	.....	.....
Elgin, Ill.	27,844	5	.....	.....	.....	.....	.....	.....	.....	.....
Everett, Mass.	38,307	9	1	.....	.....	.....	2	.....	2	1
Everett, Wash.	33,767	4	.....	.....	.....	.....	.....	.....	.....	.....
Fitchburg, Mass.	41,144	13	9	2	.....	.....	.....	.....	4	2
Galveston, Tex.	41,076	25	2	1	.....	.....	6	1	2	.....
Haverhill, Mass.	47,774	19	11	.....	1	.....	3	.....	.....	3
Kalamazoo, Mich.	47,364	15	.....	.....	.....	.....	.....	.....	.....	.....
Kenosha, Wis.	30,319	3	.....	.....	.....	.....	1	.....	.....	.....
La Crosse, Wis.	31,522	.....	.....	.....	2	.....	1	.....	.....	.....
Lexington, Ky.	39,703	19	3	.....	.....	.....	3	.....	4	1
Lincoln, Nebr.	46,028	13	1	.....	.....	.....	1	.....	.....	.....
Lorain, Ohio.	35,662	.....	.....	.....	2	.....	9	.....	.....	.....
Lynchburg, Va.	32,385	19	1	.....	1	.....	.....	.....	2	3
Madison, Wis.	30,084	.....	.....	.....	42	.....	.....	.....	.....	.....
Medford, Mass.	25,737	8	.....	.....	.....	.....	1	.....	1	.....
Montclair, N. J.	25,550	3	1	.....	4	.....	.....	.....	1	.....
New Castle, Pa.	40,351	.....	5	.....	.....	.....	1	.....	.....	.....
Newport, Ky.	31,722	7	.....	.....	.....	.....	1	.....	.....	.....
Newport, R. I.	29,631	2	.....	.....	.....	.....	.....	.....	1	.....
Newton, Mass.	43,085	15	1	.....	2	.....	1	.....	2	1
Niagara Falls, N. Y.	36,240	10	3	1	2	.....	.....	.....	.....	.....
Ogden, Utah.	30,466	4	.....	.....	.....	.....	.....	.....	.....	.....
Orange, N. J.	32,524	12	1	.....	.....	.....	2	.....	2	2
Pasadena, Cal.	43,859	11	1	.....	.....	.....	.....	.....	1	1
Perth Amboy, N. J.	39,725	.....	9	.....	.....	.....	.....	.....	1	.....
Pittsfield, Mass.	37,580	8	1	.....	1	.....	.....	.....	3	.....
Portsmouth, Va.	38,610	4	2	.....	.....	.....	1	.....	.....	.....
Racine, Wis.	45,507	9	1	.....	.....	.....	.....	.....	1	1
Roanoke, Va.	41,929	13	11	1	.....	.....	2	.....	1	1
Rock Island, Ill.	27,961	7	3	.....	.....	.....	3	.....	.....	.....
Steubenville, Ohio.	26,631	18	1	.....	.....	.....	.....	.....	.....	.....

<sup>1</sup> Population Apr. 15, 1910; no estimate made.

## DIPHTHERIA, MEASLES, SCARLET FEVER, AND TUBERCULOSIS—Contd.

City Reports for Week Ended Dec. 18, 1915—Continued.

City.	Popu- lation as of July 1, 1915 (estimated by U. S. Census Bureau).	Total deaths from all causes.	Diphtheria.		Measles.		Scarlet fever.		Tuber- culosis.	
			Cases.	Deaths.	Cases.	Deaths.	Cases.	Deaths.	Cases.	Deaths.
From 25,000 to 50,000 inhabit- ants—Continued.										
Stockton, Cal.	34,508	11	1				1			2
Superior, Wis.	45,285	10	2	1			2			
Taunton, Mass.	35,957	12			34	2				2
Waltham, Mass.	30,129	9	3	1	1		2		3	1
West Hoboken, N. J.	41,893	5	3				1		5	
Wheeling, W. Va.	43,097	17	1		3		1		2	
Williamsport, Pa.	33,495	12	8		1					
Wilmington, N. C.	28,264	14	2						2	
Zanesville, Ohio.	30,406		2							
From 10,000 to 25,000 inhabitants:										
Ann Arbor, Mich.	14,979	16	1							
Beaver Falls, Pa.	13,316				22		1		2	
Biddeford, Me.	17,570	5								2
Braddock, Pa.	21,310		2		19					
Clinton, Mass.	13,075	1	1		1		4			
Coffeyville, Kans.	16,765		2							
Concord, N. H.	22,480	9								
Galesburg, Ill.	23,923	50	1		1					
Kearny, N. J.	22,753	8	1						1	
Marquette, Wis.	14,610									2
Melrose, Mass.	17,166									1
Morristown, N. J.	13,158	3	2							
Muscataine, Iowa.	17,287	10								
Nanticoke, Pa.	22,441	5								
Newburyport, Mass.	15,195	8					1			
New London, Conn.	20,771	10	4	1						
North Adams, Mass.	22,019	4								
Northampton, Mass.	19,846	10	1				1			1
Rutland, Vt.	14,624	4								1
Saratoga Springs, N. Y.	12,842	6			7					
South Bethlehem, Pa.	23,522	1			14	1			1	
Steelton, Pa.	15,337	3								1
Wilkinsburg, Pa.	22,361	10	1		8					
Woburn, Mass.	15,862	3		1						

1 Population Apr. 15, 1910; no estimate made.

## FOREIGN.

### CHINA.

#### Plague-Infected Rat—Shanghai.

During the week ended November 20, 1915, out of 261 rats examined at Shanghai 1 was found to be plague infected.

### JAVA.

#### Plague.

During the two weeks ended November 4, 1915, plague was notified in Java as follows:

Place.	Cases.	Deaths.
Kodiri residency.....	137	129
Madjoen residency.....	1	1
Paseroean residency.....	6	8
Surabaya residency.....	2	2
Surakarta residency.....	147	137
Total.....	293	277

#### Typhus Fever.

During the period from October 21 to November 8, 1915, 17 cases of typhus fever with 8 deaths were notified in the island of Java. Of these, 14 cases with 7 deaths occurred at Batavia.

### MEXICO.

#### Typhus Fever—Mexico City.

Information dated December 23, 1915, shows serious prevalence of typhus fever at Mexico City.

### CHOLERA, PLAGUE, SMALLPOX, AND TYPHUS FEVER.

#### Reports Received During Week Ended Jan. 7, 1916.<sup>1</sup>

#### CHOLERA.

Place.	Date.	Cases.	Deaths.	Remarks.
Austria-Hungary:				
Croatia-Slavonia.....	Oct. 18-24.....	5	3	
Hungary.....	.....do.....	16	11	
Borneo:				
Putatan.....	Oct. 17-23.....	2		
India:				
Rangoon.....	Oct. 31-Nov. 6....	11	10	
Indo-China:				
Saigon.....	Oct. 25-31.....	1	1	
Java.....	Oct. 15-Nov. 8....	55	38	
Batavia.....	Oct. 26-Nov. 8....	40	28	
Brebes.....	Oct. 15-28.....	6	6	

<sup>1</sup> From medical officers of the Public Health Service, American consuls, and other sources. For reports received from June 25 to Dec. 31, 1915, see PUBLIC HEALTH REPORTS for Dec. 31, 1915. In accordance with custom, the tables of epidemic diseases are terminated semiannually and new tables begun.

**CHOLERA, PLAGUE, SMALLPOX, AND TYPHUS FEVER—Continued.****Reports Received During Week Ended Jan. 7, 1916—Continued.****PLAGUE.**

Place.	Date.	Cases.	Deaths.	Remarks.
Brazil:				
Bahia.....	Nov. 21-Dec. 11...	8	4	
India:				
Rangoon.....	Oct. 31-Nov. 6....	10	11	
Indo-China:				
Saigon.....	Oct. 25-Nov. 13...	7	4	
Java:				Oct. 22-Nov. 4, 1915: Cases, 293; deaths, 277.
Kediri residency.....	Oct. 22-Nov. 4....	137	129	
Madison residency.....	do.....	1	1	
Paseroean residency.....	do.....	6	8	
Surabaya residency.....	do.....	2	2	
Surakarta residency.....	do.....	147	137	
Russia:				
Siberia—				
Transbaikal Province...	Oct., 1914.....	16	13	

**SMALLPOX.**

China:				
Nanking.....	Nov. 7-13.....			Present.
India:				
Rangoon.....	Oct. 31-Nov. 6....	2	1	
Italy:				
Turin.....	Nov. 22-Dec. 5....	6		
Java:				Oct. 15-Nov. 8: Cases, 194; deaths, 39.
Batavia.....	Nov. 1-8.....	5	3	
Mexico:				
Aguascalientes.....	Dec. 13-19.....		7	
Russia:				
Petrograd.....	Oct. 24-Nov. 13...	57	13	
Riga.....	Nov. 14-20.....	1		Aug. 1-31, 1915: Cases, 10; deaths 1.

**TYPHUS FEVER.**

China:				
Antung.....	Nov. 22-28.....	1		
Germany:				
Lubeck.....	Nov. 7-20.....	3	1	
Great Britain:				
Liverpool.....	Dec. 5-11.....	1	1	
Italy:				
Florence.....	Oct. 1-30.....	20	2	
Java:				
Batavia.....	Oct. 15-Nov. 8....	30	11	
Samarang.....	Oct. 26-Nov. 8....	1	1	
Mexico:				
Aguascalientes.....	Oct. 22-28.....	2		
Mexico City.....	Dec. 13-19.....		4	
Russia:				Prevalent.
Petrograd.....	Dec. 23.....			
Riga.....	Oct. 24-Nov. 13...	8	1	
	Nov. 14-20.....	12		

# SANITARY LEGISLATION.

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## COURT DECISIONS.

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### NEW YORK SUPREME COURT, APPELLATE DIVISION, FOURTH DEPARTMENT.

#### **Sewage Disposal—Damages Awarded Against a City for Pollution of a Stream by Municipal Sewage.**

LUTHER et al. v. VILLAGE OF BATAVIA, 154 N. Y. Supp., 784. (July 7, 1915.)

The inhabitants of a city or village collectively have no more right to pollute the waters of a stream than has a single individual, and if a city empties its sewage into a stream and damage results to the owners of land along the stream the city is liable for damages. The continuance of such acts may be restrained by injunction, and if the injunction is violated the municipal officers who are responsible for such violation may be punished for contempt.

KRUSE, P. J.: The inhabitants of a city or village, collectively, have no more right to pollute the waters of a stream than a single individual, and where a city empties its sewer system into a living stream, as the defendant has done in this case, and damage results to the riparian owners, it must respond in damages. If such acts are continued, and a proper case is made out, an injunction should issue restraining such unlawful acts; and if the village persists in defiance of the injunction, the village and local authorities responsible for such violation should be punished for contempt. That happened to this defendant not so long ago. (*Swezey v. Village of Batavia*, 121 App. Div., 926, 106 N. Y. Supp., 1146; affirmed 191 N. Y., 499; 84 N. E., 1121.) It may be difficult for some communities to take care of the sewage in any other way than was done here, but that affords no justification or excuse for harming others who are situated as was the plaintiff. Perhaps this warning applies more to others than to this defendant, as we understand that other provision has now been made by it for taking care of its sewage.

It is unnecessary to take up the various points in detail which have been urged for reversal of this judgment. I think the evidence fairly shows, as the plaintiff contends, that the waters of this stream became contaminated with offensive refuse matter from the sewers; that the waters of the stream were covered with a scum, gave off at times offensive odor, became so filthy that the cattle would not drink of it, and that the fish died; and that the filthy odor of the creek caused discomfort and annoyance to the plaintiff, thus decreasing the rental value of his premises. I am further of the opinion that the damages awarded are not excessive, and that no error was committed so prejudicial to defendant as to require or justify a new trial.

The judgment should be affirmed, with costs. All concur.

## STATE LAWS AND REGULATIONS PERTAINING TO PUBLIC HEALTH.

### ALABAMA.

#### State Health Officer—Required to Furnish a Bond. (Act No. 66, Feb. 20, 1915.)

\* \* \* \* \*  
SEC. 10. That the State health officer be, and is hereby, required to furnish a guarantee, or surety, bond, with one or more good and sufficient sureties, in the sum of \$5,000.  
\* \* \* \* \*

### ARKANSAS.

#### Domestic Animals—Disposal of Dead Bodies. (Act No. 218, Mar. 23, 1915.)

SECTION 1. That after the passage of this act when any hog shall die from disease, or any other cause whatsoever, it shall be the duty of any person or persons owning or having possession of or exercising control over same to immediately burn the carcass of said animal.

SEC. 2. That when any horse, mule, jennie, cow, sheep, goat, or any other animal except hogs shall die from disease, or from any other cause whatsoever, it shall be the duty of any person or persons owning or having possession or exercising control over same to immediately burn, or bury at a depth of not less than 2 feet under the surface of the earth, the carcass of said animal.

SEC. 3. That any person violating the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in any sum not less than \$1 nor more than \$10. That any citizen may bring said action in the name of the State of Arkansas, and no bond for cost shall be required.

### ILLINOIS.

#### Tuberculosis Sanitariums—Discontinuance of, by Cities and Villages. (Act June 28, 1915.)

SECTION 1. That an act entitled, "An act to enable cities and villages to establish and maintain public tuberculosis sanitariums," approved March 7, 1908, in force July 1, 1908, as subsequently amended, be, and the same is hereby, amended by adding to said act four new sections to be numbered 12, 13, 14, and 15, respectively, which sections when amended shall read as follows:

SEC. 12. Whenever the board of directors of any public tuberculosis sanitarium established and maintained under this act shall recommend in writing to the city council or board of trustees, as the case may be, the discontinuance of any public tuberculosis sanitarium, stating in said report the reasons therefor, the said city council or board of trustees may pass an ordinance for the discontinuance of such public tuberculosis sanitarium.

SEC. 13. Whenever such ordinance is passed for the discontinuance of any such sanitarium, the said ordinance shall be submitted to the voters of such city or village, as the case may be, at the next succeeding general or special election, or at any special



election called for that purpose, and the said ordinance shall become operative, effective, and valid if approved by a majority of such voters voting upon the question.

SEC. 14. Such ordinance shall be printed on a ballot in full, which shall be separate and distinct from the ballot for candidates for office. The ballot to be used for any such election in voting under this act shall be substantially in the following form:

FOR the abolition of the public tuberculosis sanitarium of the city (or village, as the case may be) of ....., as provided in ordinance No. ....	Yes.	
AGAINST the abolition of the public tuberculosis sanitarium of the city (or village, as the case may be) of ....., as provided in ordinance No. ....	No.	

SEC. 15. Whenever such ordinance shall have been ratified and made effective, operative, and valid by vote, as provided in the last preceding section, the city council or board of trustees of such city or village may after having discharged all financial obligations of such tuberculosis sanitarium by appropriate ordinance, transfer any moneys then in the "tuberculosis sanitarium fund" from such fund into any other lawful appropriation or appropriations of such city or village.

#### Embalmers—Examination and License. (Act July 23, 1915.)

SECTION 1. That section 1 of an act entitled "An act providing for the regulation of the embalming and disposal of dead bodies, for a system of examination, registration, and licensing of embalmers, and imposing penalties for the violation of any of its provisions," approved May 13, 1905, in force July 1, 1905, be, and the same hereby is, amended so as to read as follows:

"SECTION 1. That no person shall embalm or prepare for transportation anybody dead of a contagious or infectious disease, or embalm any dead body, or hold himself out as practicing the art of embalming, without first applying to and receiving from the State board of health a license authorizing him so to do. All applications for licenses shall be made in writing, on blank forms prescribed by the State board of health, and shall be accompanied by the examination and license fee of \$5, with proof that the applicant is of good moral character and has attained the age of at least 21 years, and has had two years' practical experience under a licensed embalmer. If the applicant complies with the requirements of the said board, then its secretary shall notify each applicant to appear before the said board for examination."

#### NEW HAMPSHIRE.

##### State Board of Health—Appropriations. (Chap. 139, Act Apr. 21, 1915.)

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the State, for the purposes specified, for the fiscal year ending on the 31st day of August, 1916, to wit:

\* \* \* \* \*  
*For State board of health.*—\$11,250, as follows: For salary of secretary, \$2,500; for salary of clerk, \$500; for incidentals, \$450; for printing blanks, \$300; for epidemic fund, \$5,000; for sanitary inspection, \$2,500.

*For laboratory of hygiene.*—\$6,800, as follows: For salaries of two chemists, \$3,200; for salaries of two bacteriologists, \$2,000; for incidentals, \$1,200; for printing blanks and bulletin, \$400.

*For vital statistics.*—\$1,600, as follows: For clerical expenses and incidentals, \$1,600.

\* \* \* \* \*

**State Board of Health—Appropriations. (Chap. 131, Act Apr. 21, 1915.)**

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the State, for the purposes specified for the fiscal year ending on the 31st day of August, 1917, to wit:

\* \* \* \* \*  
*For State board of health.*—\$12,100, as follows: For salary of secretary, \$2,500; for salary of clerk, \$500; for incidentals, \$450; for printing blanks, \$300; for printing reports, \$850; for epidemic fund, \$5,000; for sanitary inspection, \$2,500.

*For laboratory of hygiene.*—\$6,800, as follows: For salaries of two chemists, \$3,200; for salaries of two bacteriologists, \$2,000; for incidentals, \$1,200; for printing blanks and sanitary bulletins, \$400.

*For vital statistics.*—\$2,800, as follows: For clerical expenses and incidentals, \$1,600; for printing report, \$1,200.  
 \* \* \* \* \*

**Foodstuffs—Inspection of Places Where Produced or Sold. (Chap. 23, Act Mar. 2, 1915.)**

SECTION 1. Section 3, chapter 15, laws of 1911, is hereby amended by striking out the following words, "And if any person, firm, or corporation is found to be violating any of the provisions of this act, then the State board of health shall issue an order to the aforesaid to abate the condition or practice in violation, within such time as may be deemed reasonably sufficient therefor," and inserting in place thereof the following: "In the event that a person infected with any communicable disease is employed, or if structural alterations are necessary for the protection of food products as herein required, the State board of health shall issue an order prohibiting the employment of such person, or requiring such structural changes as in the opinion of the board are necessary," so that the said section as amended shall read:

SEC. 3. The State board of health, or its inspectors, or special agents designated for that purpose, shall have full power and authority at all times to enter and inspect every building, room, or other place occupied or used for the production, storage, sale, or distribution of food, and all utensils and appurtenances relating thereto. In the event that a person infected with any communicable disease is employed, or if structural alterations are necessary for the protection of food products as herein required, the State board of health shall issue an order prohibiting the employment of such person, or requiring such structural changes as in the opinion of the board are necessary. Such order shall be transmitted by registered mail, and the receipt of the Post Office Department therefor shall be prima facie evidence of its receipt by the person or persons affected.

**Habit-Forming Drugs—Possession of—Issuance of Search Warrants. (Chap. 157, Act Apr. 21, 1915.)**

SECTION 1. Amend section 1, chapter 251, of the public statutes, as amended by section 1, chapter 87, laws of 1901, by adding after division 7 of said section a division to be known as division 8 and the following words: "Cocaine or any of its salts, or any synthetic substitute for the aforesaid, or any preparation containing any of the same, morphine, heroin, codeine, or any derivatives of the same, kept for any purpose forbidden by law"; so that said section as amended shall read as follows:

SECTION 1. A justice or police court may issue a warrant for searching any place therein described, in the daytime, upon complaint, under oath, that it is believed that a person liable to arrest for a crime is concealed therein, or that gambling is carried on therein, or that any property or thing of any of the following kinds is kept concealed therein:  
 \* \* \* \* \*

8. Cocaine or any of its salts, or any synthetic substitute for the aforesaid, or any preparation containing any of the same, morphine, heroin, codeine, or any derivatives of the same, kept for any purpose forbidden by law.

**Domestic Animals—Running at Large—City Councils May Regulate or Prohibit**  
(Chap. 55, Act Mar. 17, 1915.)

SECTION 1. Subdivision 9 of section 10, chapter 50, of the public statutes, is hereby amended by striking out the whole of said section and inserting instead thereof the following: "9. To regulate, restrain, or prohibit the keeping or running at large of horses, cattle, sheep, swine, geese, goats, and other poultry and animals, or any of them, to create the limits of districts within which the same may be kept and the conditions and restrictions under which they may be kept, to provide penalties for the violation of any ordinance or regulation relating thereto, not exceeding a fine of \$20 or imprisonment not exceeding 30 days for the first offense, or both, and not exceeding a fine of \$100, or imprisonment not exceeding six months, or both, for any subsequent offense."

**UTAH.**

**Hotels—License—Toilet Facilities—Bedding.** (Chap. 49, Act Mar. 15, 1915.)

SECTION 1. *Sections amended.*—That sections 2, 8, and 12, chapter 87, Laws of Utah, 1913, be, and the same are hereby, amended to read as follows:

SEC. 2. *Inspection certificate.*—That no hotel shall be kept, maintained, or conducted in this State after this act takes effect without first procuring an inspection certificate therefor, and no such certificate license shall be transferable: *And provided*, That no holder of a certificate under this act shall be relieved thereby from compliance with the ordinance of any town, city, or county in which the building is located or which such certificate is issued.

SEC. 8. *Sanitation closets; lavatories.*—In all cities, towns, and villages where a system of waterworks is maintained for public use, every hotel therein operated shall within six months after the passage of this act be equipped with suitable water-closets for the accommodation of its guests, which water-closet or closets shall be connected by proper plumbing with sewerage system, if there be one, otherwise with a cesspool, and the means of flushing such water-closets with the water of said system so as to prevent sewer gas or effluvia from arising therefrom. All lavatories, bath tubs, sinks, drains, and urinals in such hotels must be connected and equipped in a similar manner, both as to methods and times.

In all cities, towns, and villages not having a system of waterworks, every hotel shall have properly constructed privies or overvaults, which shall have tightly built backs, and which shall be kept clean and free from filth, and which shall have separate apartments for the sexes, each being properly designated.

SEC. 12. *Clean bedding to be provided; fumigation.*—All hotels shall provide each bed, bunk, cot, or other sleeping place for the use of guests with pillow slips and under and top sheets. Each oversheet shall be not less than 99 inches long after being washed, and of sufficient width to completely cover the mattress and springs. Said sheets and pillow slips shall be made of white cotton or linen, and after being used by one guest they shall be washed and ironed before they are furnished to another guest, a clean set being furnished to each guest. All bedding, including mattresses, quilts, blankets, pillows, sheets, and comforts used in any hotel in this State must be thoroughly aired and kept clean: *Provided*, That no bedding, including mattresses, quilts, blankets, pillows, sheets, or comforts shall be used which are worn out or unfit for further use. Any room in any hotel in this State infested with vermin or bedbugs shall be fumigated, disinfected, and renovated until said vermin or bedbugs are exterminated. Also that the floors, walls, and ceilings of all rooms in all hotels shall be kept clean and free from dirt and filth.

## MUNICIPAL ORDINANCES, RULES, AND REGULATIONS PERTAINING TO PUBLIC HEALTH.

### KANSAS CITY, MO.

#### Milk and Milk Products—Production, Care, and Sale. (Ord. 23,314, July 17, 1915.)

SECTION 1. (a) *Milk*, as referred to in this ordinance, is hereby defined to be the fresh, clean, lacteal secretion obtained by the complete milking of one or more healthy cows which are properly fed and kept, excluding that obtained within 15 days before and 10 days after calving, and which contains not less than  $8\frac{1}{2}$  per cent of solids not fat, and not less than 3 $\frac{1}{2}$  per cent of milk fat.

(b) *Cream*, as referred to in this ordinance, is hereby defined to be that portion of milk rich in fat which rises to the surface of milk on standing or is separated from it by centrifugal force, is fresh and clean, and which contains not less than 18 per cent of milk fat.

(c) No cream shall be sold or offered or exposed for sale or delivered or offered for delivery which does not conform to the foregoing standard, unless the cap, tag, or label on the container thereof shall have plainly printed thereon the words "under standard," together with the percentage of milk fat contained in such cream, and no cream shall be sold or offered for sale or delivered or offered for delivery as double cream or special or extra cream, or with any other designation indicating a higher percentage of milk fat than is required in the foregoing paragraph (b) unless the cap, tag, or label on the container thereof shall also show along with such designation a true statement of the percentage of milk fat contained in such cream.

(d) *Skimmed milk*, as referred to in this ordinance, is milk from which a part or all of the cream has been removed and which contains not less than  $9\frac{1}{4}$  per cent of milk solids and not less than  $8\frac{1}{2}$  per cent of milk solids not fat.

Skimmed milk shall not be sold, offered, or exposed for sale or delivered or offered for delivery within the limits of Kansas City, except as such, and all caps, tags, labels, and brands on containers of skimmed milk shall, in addition to the requirements of section 5 of this ordinance, have the words "skimmed milk" plainly printed thereon.

(e) *Buttermilk*, as referred to in this ordinance, is the product that remains when butter is removed from milk or cream in the process of churning.

No person, firm, or corporation shall sell or offer or expose for sale, or have in possession for sale, or deliver or offer to deliver for domestic or potable use any buttermilk containing any coli bacilli or other pathogenic bacteria or disease germs, or which contains evidence of having been contaminated by filth, or which does not show on the cap, tag, or label on or attached to the container thereof the name of the dairy, dairy farm, or milk plant in which same was put into such container.

(f) *Pasteurization*, as referred to in this ordinance, is the holding of milk or cream for a period of not less than 20 minutes and not more than 30 minutes at a temperature automatically timed, regulated, and recorded during the entire pasteurization process of not less than 140° and not more than 145° F., and the rapid cooling of same immediately thereafter to a temperature of not more than 50° F.

No pasteurized milk or cream shall be sold or delivered or offered for sale or delivery after 24 hours from time of pasteurization.

(g) *Adulterated milk or cream.*—Milk or cream shall be deemed to be adulterated within the meaning of this ordinance:

1. If any substance or substances have been mixed with it so as to lower or depreciate or injuriously affect its strength, quality, or purity.

2. If any substance or substances have been substituted wholly or in part for such milk or cream.

3. If it is mixed or colored in a manner whereby damage or inferiority is concealed, or if by any means it is made to appear to be better or of greater value than it really is.

4. If it contains any added substance which is poisonous or injurious to health.

5. If it consists wholly or in part of diseased, filthy, decomposed, putrid, infected, tainted, or rotten animal or vegetable substance, or if it is the product of a diseased animal.

6. If it has been in any manner treated with any antiseptic or chemical preservative or dyestuff whatsoever whose use and apparent purpose is to mask decomposition or to give such milk or cream a false appearance of freshness or quality.

7. If it is drawn or produced from cows fed on unhealthy or unwholesome food or on waste, slops, refuse, leavings, or residue of any nature or kind from distilleries, breweries, or vinegar factories, or on food in a state of putrefaction, or from cows diseased in any way.

(h) *Unwholesome milk or cream.*—Milk or cream taken from any animal having tuberculosis, garget, or other contagious or infectious disease, or from any animal afflicted with any ulcer, lump jaw, abscess, or running sore, or from any animal within 15 days before or 10 days after parturition, or from any animal that has been fed on any refuse from distilleries, glucose or starch factories, or other waste and refuse products, or upon any feed in a rotten or unwholesome state, or which contains any bacilli coli communis or other pathogenic bacilli or bacteria or disease germs, or which has been pasteurized more than once, shall be deemed to be unwholesome within the meaning of this ordinance.

Nothing in this section contained shall be construed as exempting or excluding from the prohibitions of section 2 of this ordinance any milk or cream which is in fact unclean, impure, adulterated, or unwholesome, whether in this section expressly defined as such or not.

(i) *A dairy or dairy farm* is any place or premises where one or more cows are kept or milked the milk or cream from which is sold or intended or offered for sale or had in possession for sale to others than the original owners thereof.

(j) *A milk plant* is any place, plant, or premises, or establishment other than a dairy or dairy farm where milk or cream is collected, handled, processed, stored, bottled, pasteurized, or prepared for distribution. A city milk plant is a milk plant located within the limits of Kansas City.

SEC. 2. No person, firm, or corporation shall, within the limits of Kansas City, produce, sell, offer, or expose for sale, or have in his, their, or its possession, with intent to sell, any milk or cream which is adulterated within the meaning of this ordinance or cause or procure the same to be done by others; and no person, firm, or corporation shall sell or have in possession for sale, or offer or expose for sale anywhere in Kansas City, or deliver to another, for domestic or potable use, any unclean, impure, adulterated, or unwholesome milk or cream, or milk from which has been held back what is commonly known as strippings.

SEC. 3. No person, firm, or corporation shall, within the limits of Kansas City, sell or offer or expose for sale, or have in possession for sale, or deliver or attempt to deliver to another, for domestic or potable use (or shall so sell, offer or expose for sale, have in possession, or deliver under such conditions or in such place that it is apparently intended for such use, or may be so used), any milk or cream, unless such milk and cream then and there conforms to the requirements of one of the grades or classes of



milk or cream hereinafter in this section defined. Domestic use, as the words are used or referred to anywhere in this ordinance, shall be understood and construed to include the use in any restaurant, café, hotel, boarding house, bakery or confectionery, or ice-cream factory.

Such definition shall in each instance be understood to include the requirement that the milk or cream, respectively, in such grade or class, is not adulterated or unwholesome as hereinbefore defined, and that such milk or cream conforms to the requirements of the laws of the State of Missouri and of the United States for the time being.

(a) *Certified milk or cream* is milk or cream which is certified by the medical milk commission of the Jackson County Medical Society of Jackson County, Mo., to have been produced, handled, and distributed under the supervision of said commission and in conformity with its requirements as laid down by it for certified milk, and which milk or cream in no respect falls below the requirements for grade "A" raw milk, as in this ordinance defined.

(b) 1. *Grade "A" raw milk* is milk not adulterated or unwholesome as hereinbefore provided, to which nothing has been added and from which nothing has been taken, produced in dairies which upon an inspection as provided for in this ordinance or any ordinance amendatory thereof, scores not less than 75 according to the score card No. 1 (hereinafter in section 18 set forth), of which score not less than 25 shall be on the equipment side and not less than 50 on the methods side, and which milk has a bacterial count of not to exceed 100,000 bacteria to the cubic centimeter.

Milk in this grade shall, immediately upon being drawn from the cow, be cooled to a temperature of not higher than 50° F., and shall within one hour after the completion of milking be put and kept in the closed final container.

2. *Grade "A" pasteurized milk* is grade "A" raw milk as hereinbefore defined, which has been pasteurized and which has a bacterial count after pasteurization of not more than 50,000 bacteria to the cubic centimeter, and which has an acidity not greater than such that 25 cubic centimeters thereof shall be neutralized by 5½ cubic centimeters of decinormal alkali solution, using phenolphthalein as an indicator.

3. Pasteurizing and bottling milk plants in which grade "A" milk or cream is handled, pasteurized or bottled, shall upon inspection as provided in section 18 of this ordinance, score not less than 75 of which score not less than 25 shall be on the equipment side, and not less than 50 on the method side.

4. *Grade "A" cream* is cream obtained from grade "A" milk.

(c) 1. *Grade "B" raw milk* is milk not adulterated or unwholesome as hereinbefore defined, to which nothing has been added, produced in dairies which upon an inspection as provided in this ordinance or any ordinance amendatory thereof, score not less than 60 according to said score card No. 1, of which score not less than 20 shall be on the equipment side and not less than 40 on the methods side, and which milk has a bacterial count of not to exceed 300,000 bacteria to the cubic centimeter.

2. *Grade "B" pasteurized milk* is grade "B" raw milk as hereinbefore defined, which has been pasturized and which has a bacterial count after pasteurization of not more than 100,000 bacteria to the cubic centimeter, and which has an acidity not greater than such that 25 cubic centimeters thereof shall be neutralized by 7 cubic centimeters of decinormal alkali solution using phenolphthalein as an indicator.

3. *Grade "B" raw milk* when not bottled on the dairy farm producing it and grade "B" pasteurized milk when not pasteurized on the dairy farm producing it shall be handled and bottled or pasteurized as the case may be only in milk plants which upon inspection as provided for in section 18 of this ordinance, score not less than 75 according to score card No. 2 shown in said section, of which score not less than 25 shall be on the equipment side, and not less than 50 shall be on the methods side.

4. *Grade "B" cream* is cream as hereinbefore defined obtained from grade "B" milk.



(d) 1. Grade "C" milk is milk not adulterated or unwholesome as hereinbefore defined which is so produced and handled that it shall not when pasteurized be injurious to health or the cause (or capable of being the cause) of disease or the spread of disease but which in quality and in the condition under which it is produced or handled falls below the requirements of this ordinance for grade "A" milk or grade "B" milk.

2. Grade "C" cream is cream as hereinbefore defined, obtained from grade "C" milk.

3. No person, firm, or corporation shall, within the limits of Kansas City, sell or offer or expose for sale, or have in possession for sale, or deliver, or attempt to deliver for potable or domestic use, any grade "C" milk or grade "C" cream unless the same shall have been pasteurized.

(e) All milk intended for sale, delivery, or use within the limits of Kansas City as grade "A" milk or grade "B" milk, immediately upon being drawn from the cow, and all cream intended for such sale, delivery, or use as grade "A" or grade "B" cream immediately after its separation from the milk shall be cooled to a temperature of not more than 50 degrees Fahrenheit nor below the freezing point, and shall thereafter be kept at such temperature continuously until delivered to the consumer (except pasteurized milk or cream during the process of pasteurizing only); and the actual sale or delivery of milk or cream within the limits of Kansas City as grade "A" milk or cream, or as grade "B" milk or cream, shall be conclusive proof that such milk or cream was so intended for sale, delivery, or use.

(f) No cream or ice cream shall be sold, or offered or exposed for sale, or had in possession for sale, or delivered or offered for delivery, for domestic or potable use, or for human consumption as such, which contains any pathogenic germs or which has a bacterial count of more than three times that permitted by this ordinance to be or exist in the grade of milk from which same was obtained or manufactured.

SEC. 4. (a) Every milk plant within the limits of Kansas City shall be subject to the inspection of the board of hospital and health of Kansas City, Mo., and to the lawful rules and regulations of said board in accordance with the charter and ordinances of Kansas City; and all apparatus and methods used in pasteurizing, bottling, processing, or handling of milk or cream in any such plant shall at all times be subject to the regulation, control, and approval of this board.

(b) Said board by its inspectors or other representatives is hereby authorized to inspect any milk plant outside the limits of Kansas City, upon consent thereto by the owner or person in charge thereof.

(c) No person, firm, or corporation shall, within the limits of Kansas City, sell, or offer, or expose for sale, or have in possession for sale, or deliver or attempt to deliver, for potable or domestic use, any milk or cream which has been handled, pasteurized, or bottled by any such milk plant, whether within or without the limits of Kansas City, unless such milk plant upon inspection and scoring by the said board or its representatives as provided in section 18 hereof, shall score not less than 75 according to score card No. 2, as shown in said section, of which score not less than 25 shall be on the equipment side and not less than 50 shall be on the methods side.

(d) No milk plant shall be operated or maintained, or milk or cream therefrom sold or delivered for potable or domestic use within the limits of Kansas City which plant upon such inspection shall fall below such score as prescribed in the last preceding paragraph. Each day that the provisions of this paragraph are violated shall constitute a separate offense.

SEC. 5. (a) All bottles containing milk or cream for sale or delivery within the limits of Kansas City shall be tightly closed with caps plainly marked with the designation of the grade (as hereinbefore defined) of the milk or cream contained therein, together with the name of the person, firm, or corporation distributing same.

(b) In the case of grade "A" raw milk such caps shall also show the name of the dairy or dairyman producing same, or some other name or mark approved by said board of hospital and health identifying such producer; but this shall not relieve the distributor from any liability which may arise under this ordinance.

(c) In the case of pasteurized milk or cream of any grade such caps shall also have the word "pasteurized" plainly printed thereon, and shall also show the day of the week on which said milk or cream was pasteurized.

Cans or containers other than bottles used for the vending or delivery of milk or cream within the limits of Kansas City shall have securely fixed thereto tags upon which shall be printed in legible type the same information in respect to the contents of such containers as is hereinbefore in this section required to be shown on the caps of bottles containing milk or cream.

All caps and tags respecting grade "A" milk or cream shall be white with black lettering.

All such caps and tags respecting grade "B" milk or cream shall be white with bright green lettering.

All such caps and tags respecting grade "C" milk or cream shall be white with red lettering.

The board of hospital and health shall adopt and prescribe a uniform style of caps and tags in conformity with the requirements of this ordinance, and thereafter all caps and tags used shall be of the style so prescribed.

SEC. 6. No person, firm, or corporation shall within the limits of Kansas City sell or offer or expose for sale, or have in possession for sale, or deliver or attempt to deliver any milk or cream, unless the bottle, can, or other container in which such milk or cream is contained shall be at the time plainly labeled, tagged, or branded with a cap, label, tag, or brand, as required in the last preceding section, in accordance with the true quality, character, and history of the milk or cream so contained.

SEC. 7. Milk or cream shall be deemed to be misbranded within the meaning of this ordinance when the package, can, bottle, or other container containing same, or any cap, label, or tag attached thereto, shall bear any statement, design, mark, or device regarding the milk or cream so contained in such package, can, bottle, or other container, which is false or misleading in any particular; or when any milk or cream shall be falsely branded or labeled, or false representations are made concerning same, as to the place where, or the breed or character of the cows from which, or the person by whom such milk or cream was produced, obtained, handled, or supplied.

Any label, brand, or device, and any oral or written or printed representation, signifying or indicating that the milk or cream in any bottle, can, or other container upon which such label, brand, or device appears, or concerning which such representation is made, or in any dairy, milk plant, store, or vehicle where such milk or cream is sold, handled, had in possession, or delivered or offered for delivery or for sale has been certified, approved, or recommended by any commission, organization, or official when in fact such milk or cream has not been so certified, approved, or recommended, shall be deemed and shall constitute a misbranding within the meaning of this ordinance. The words "milk or cream," as used in this section or in sections 8, 9, 10, 11, 13a, 14, 15, 26, 27, or 28 of this ordinance, shall be understood and construed as including buttermilk, skimmed milk, and ice cream.

SEC. 8. No person, firm, or corporation shall, within the limits of Kansas City, sell, or offer or expose for sale, or have in possession with intent to sell, any milk or cream which is misbranded within the meaning of this ordinance, or cause or procure same to be done by others.

SEC. 9. No person, firm, or corporation shall willfully cause any milk or cream to be misbranded within the meaning of this ordinance; and no person, firm, or corporation shall alter, deface, erase, or remove any label, cap, mark, tag, or brand provided for by this ordinance with intent to mislead or deceive, or with intent to

violate any of the provisions of this ordinance, or cause or procure same to be done by others.

SEC. 10. No milk or cream of any of the grades defined in this ordinance shall be sold or offered or exposed for sale, or had in possession for sale, or delivered or offered for delivery for human consumption in any bottle, can, or other container unless and until such bottle, can, or other container shall have been sterilized and kept sterile until receiving such milk or cream; and except for containers of grade "C" milk or cream, such sterilization shall be by heat.

SEC. 11. No person, firm, or corporation within the limits of Kansas City shall use any bottle, can, or other receptacle in which milk or cream is delivered to a purchaser or receiver thereof not the owner of such bottle, can, or receptacle for any purpose other than the holding therein of milk or cream.

No person, firm, or corporation shall, within the limits of Kansas City, return or deliver any such bottle, can, or receptacle which has been so used for purposes other than the holding of milk or cream to the owner of or claimant thereof, or permit such to be done, unless and until same has been disinfected and sterilized.

No person, firm, or corporation shall return or deliver to the owner or claimant thereof or to any other person any milk bottle, milk can, or other container used for containing or holding milk or cream from any house or premises where any contagious or infectious disease exists until and unless such bottle, can, or container shall have first been disinfected and sterilized.

SEC. 12. No person, firm, or corporation shall manufacture, sell, or offer or expose for sale, or have in possession for sale, or deliver or offer to deliver to another, any substitute for or imitation of milk or cream which has the appearance of fresh milk or cream; or any milk or cream which has been evaporated or otherwise processed in such manner as to change its form or appearance and which has thereafter been so processed, treated, or handled as to have the appearance of fresh milk or cream, unless same shall contain only the actual constituents of grade "A" milk or cream and conforms to the requirements of this ordinance as to proportions of solids and fats and as to the bacterial count required or permitted in such grade "A," and shall, in addition, have the words "homogenized milk" or "imitation milk" or "substitute milk" plainly printed on the container in which it is sold, offered, or exposed for sale, or delivered to the consumer.

The possession of any equipment, apparatus, or machine, adapted to or of a sort intended for the manufacturing or processing of any milk or cream or other substances of a kind or in a manner prohibited in this section shall constitute prima facie evidence that the person, firm, or corporation having such possession has same with intent to violate this ordinance, and that the milk or cream, or product or article having the appearance of milk or cream, sold, offered or exposed for sale, or had in possession for sale, or delivered or offered for delivery by such person, firm, or corporation was manufactured or processed by such person, firm or corporation, and that same was handled, sold, or offered or exposed for sale, or had in possession for sale, or delivered or offered for delivery, as the case may be, knowingly in violation of this ordinance.

SEC. 13. (a) Every person, firm, or corporation operating or maintaining a dairy, dairy farm or milk plant, or who offers or exposes for sale, or has in possession for sale, or delivers or offers for delivery, any milk or cream, within the limits of Kansas City, shall upon request therefor by the board of hospital and health, or its representatives or inspectors, or by the city chemist, then and there promptly furnish to the person making such request a sample of milk or cream, for the purpose of having same tested by the city chemist.

(b) Such samples may be taken by said board or its representatives or inspectors at any time.

Such samples shall be taken at least once a month, of the milk and cream produced or handled by the holder of each permit obtained under this ordinance, so long as such permit remains in force, and tests made thereof by the city chemist or his assistants as provided in this ordinance.

If at any time upon either the monthly or any other testing the milk or cream so tested fails to conform to the requirements of this ordinance as to the number or character of the bacteria permitted to be found therein, another sample or samples shall be so taken and tested in the same manner.

If upon such testing the milk or cream so tested shall again fail to conform to the requirements of this ordinance as to the number or character of the bacteria permitted to be found therein, said board shall have the dairy, dairy farm, or milk plant from which such milk or cream was taken or came reinspected and rescored in the manner provided in section 18 hereof.

Thereafter at least five such samples and tests thereof by the city chemist shall be taken and had within a period of not less than two weeks and not more than five weeks; and the result of at least four out of five such tests, agreeing in conformity or lack of conformity with the requirements of this ordinance, shall determine the rating or grade of the milk or cream, respectively (as to the matters so tested), of the dairy, dairy farm, or milk plant from which such samples came, and of the milk and cream produced, handled, or sold therein or therefrom.

The same method shall be followed in determining the rating or grade of milk and cream produced, handled, or sold in any dairy, dairy farm, or milk plant for which application for a permit under this ordinance is made, except as to the provisional permits provided for in section 18 of this ordinance; and such method shall also be followed in all cases where a permit holder shall apply to have his, their, or its permit cover a higher grade of milk or cream than it at the time allows.

The rating or grade so determined and established shall remain in effect until and unless a different rating or grade is thereafter determined in the manner hereinbefore provided.

SEC. 14. Whenever a sample of milk or cream shall be taken for the purpose of having the same tested by the city chemist as hereinbefore provided, it shall be the duty of the person taking such samples to at once seal same with a metal seal, and to then and there make a record of the time and place of taking such sample, and the name of the person so taking same, and from whom taken, and to then and there give to the person from whom such sample was taken a duplicate of such record, and as promptly as possible to deliver such sample to the city chemist for testing; and it shall be the duty of the city chemist, by himself or his assistants, to promptly make bacterial and other tests of all samples of milk or cream so delivered to him for the purpose of determining whether same conform to the requirements of this ordinance.

From the time of the taking of any such sample to the time of the delivery thereof to the city chemist and its examination and testing by him the temperature of such sample of milk or cream shall be kept at not more than 50 degrees Fahrenheit.

An accurate record shall be kept at the office of the city chemist of the time of delivery to him of all such samples of milk and cream, and of the time and place of taking same as reported to him by the person delivering same to him, and of the result of all tests thereof made by him or in his office.

It shall be the duty of the board of hospital and health, upon request therefor, to notify the person, firm, or corporation having the permit under which the sample of milk or cream so taken was being sold, handled, or delivered of the result of such test.

Such person, firm, or corporation, upon presentation to the board of hospital and health of the receipt of the city treasurer for the sum of \$2 paid for that purpose, may have notice mailed to him by said board of the result of all tests made by the city



chemist of milk or cream from his or its dairy, dairy farm, or milk plant during the period of one year thereafter.

SEC. 15. Any milk or cream in the possession of any person, firm, or corporation for sale or delivery for human consumption, within the limits of Kansas City, which is adulterated, unwholesome, or unclean, or unfit for human food, or which in any respect fails to conform to the requirements of this ordinance, may be seized and held by the inspector or representative of the board of hospital and health, or by any police officer, and held subject to the lawful orders of said board; or in any such case, if such milk or cream is adulterated, unwholesome or unclean, or unfit for human food, same may be promptly then and there spilled on the ground, or be then and there treated by having rennin, or such other agent as may be or have been approved and directed by said board for such use, mixed therewith by an inspector or representative of said board or by any police officer, upon the request of such inspector or representative.

SEC. 16. No person, firm, or corporation shall within the limits of Kansas City sell, or offer or expose for sale, or have in possession for sale, or deliver or attempt to deliver or offer to deliver, any milk or cream, without having a permit therefor, issued by the board of hospital and health of Kansas City, Mo. Such permit, when issued, shall not be transferable, and shall be good for one year unless sooner revoked by said board, which is hereby given power and authority to issue and revoke such permits in conformity with this ordinance.

Any person, firm, or corporation desiring such a permit shall make application to said board for same, upon a form to be provided by said board, which shall contain the following:

1. The name and residence of the applicant, if an individual; or the name and residence of each member of the firm, if applicant is a firm; or the name and the State in which it was incorporated, if applicant is a corporation, together with the name and residence of the president and secretary, respectively, of such corporation.

2. If applicant has a dairy or dairies, the location of each of such dairies, the name of the person in charge of each, and the number of cows owned, used, or controlled by applicant at each such dairy.

3. If applicant maintains or operates a milk plant or place of business other than a dairy, the location of each such milk plant or place of business, with the street and number of same, and the name of the person in charge of each, with his residence, and the trade name under which milk or cream is handled or sold by such applicant.

4. The location of each of the dairies or milk plants from which applicant obtains milk or cream supplies, the name of the owner or owners thereof, and the number of cows owned, controlled, or used by each.

5. The grade of the milk or cream (as defined by this ordinance) which applicant proposes to handle or sell.

6. An agreement that said board, by its inspectors or representatives, may at any time enter and inspect the premises, and every part thereof, of each and every dairy, dairy farm, or milk plant owned, maintained, controlled, or operated by applicant, or from which applicant obtains any milk or cream, whether within or without the limits of Kansas City, and may at any time inspect the cows thereon or therein, or on or in any other premises or in any other herd of such applicant, wherever located, and all utensils, equipment, appliances, and conveyances on any such premises or used in connection therewith, or with the distribution of milk or cream produced or handled thereon or therein; and that such board may by its inspectors or representatives at any time take a sample or samples of milk or cream from any such premises or conveyance, without charge, for the purpose of having same tested by the city chemist as provided in this ordinance; and that if such right of entry or inspection, or the giving of such sample or samples, be refused, obstructed, or denied, the permit applied for by such applicant shall be refused, or if a permit has been or shall

thereafter be issued, that same shall be summarily revoked or suspended by said board.

7. An agreement that applicant will abide by and comply with this and all the ordinances of Kansas City, and with the lawful rules and regulations of said board in force at any time in respect to the production, handling, and distribution of milk and cream, and in respect to the maintenance and operation of dairies, dairy farms, and milk plants; and that any permit which may be issued upon such application, and every renewal or revival thereof, is held by applicant subject to the condition that all milk or cream handled, sold or offered or exposed for sale, or had in possession for sale, or delivered or offered for delivery, under authority or claimed authority of such permit, whether produced by applicant or by others, and whether produced within or without the limits of Kansas City, shall be produced and handled under the conditions of sanitation, cleanliness, and freedom from disease required by this ordinance or other ordinances of Kansas City in force for the time being in respect thereto, or required by the lawful rules and regulations of said board.

8. An agreement that every person, firm, or corporation acting under the authority of the permit which may be issued on such application, will at all times, upon demand, give accurate information to said board or its representatives on all matters concerning the equipment, methods, and management of any dairy, dairy farm, or milk plant owned, maintained, or operated by applicant, and of and concerning the source and disposition of all milk and cream handled, sold or offered for sale, or had in possession for sale, or delivered or offered for delivery, by such applicant or under the authority or claimed authority of such permit.

SEC. 17. The application for or acceptance of a permit, as provided for in the last preceding section by any person, firm, or corporation, shall constitute an acceptance of and a consent and agreement to all the terms and conditions in said section provided, whether same are actually set forth in any application signed or presented by such applicant or not, and shall also constitute a consent to all the other provisions and requirements of this ordinance.

SEC. 18. Upon application being made to the board of hospital and health for a permit as hereinbefore provided, said board shall as promptly as possible, by its inspectors or representative, inspect the premises and equipment referred to in such application or to be covered by such permit, and shall have tests made by the city chemist of samples, both as to bacteria and as to fats and solids, and shall obtain such further information as may be necessary to determine whether the provisions of this ordinance have been and are being complied with in good faith, and shall proceed to score such dairy, dairy farm, or milk plant as it is proposed to have covered by such proposed permit, according to the system of scoring shown and provided in the score cards promulgated by the United States Bureau of Animal Industry, which score cards are hereby adopted.

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If, upon such inspection and the making of such tests, it appears that the provisions of this ordinance have been and are being complied with in good faith and that the milk and cream to be produced, handled, sold, or delivered by such applicant will comply with the requirements of this ordinance said board shall issue to such applicant a permit as hereinbefore referred to and provided for and not sooner, except as provided in the last paragraph of this section.

Such permit shall show the date when issued, the name of the person, firm, or corporation to whom it is issued, and the highest grade of milk or cream which may be sold, handled, or delivered under authority thereof, and shall state whether it is for a dairy or dairy farm or for a milk plant and the location thereof.

Such permit shall not take the place of or be in lieu of any license which may now be required to be obtained or may hereafter be so required, under any other law or ordinance.

When application shall be made for a permit for a dairy, dairy farm, or milk plant which at the time is just being established, so that the time necessary to make period-



ical tests called for in section 13 hereof shall not have elapsed, the board shall make or cause to be made such inspection, scoring, and testing as the circumstances at the time permit, and if upon such inspection, scoring, and testing such dairy, dairy farm, or milk plant appears to be such as will comply with the requirements of this ordinance said board may issue a provisional permit, good only until it shall be possible for a scoring and rating to be made, as hereinbefore provided, and not to exceed 60 days; and it shall be the duty of said board to make a new scoring, testing, and rating in conformity with this ordinance, as promptly as possible. No such provisional permit shall be issued more than once to the same applicant or to cover the same dairy, dairy farm, or milk plant.

Sec. 19. Such permit shall be conspicuously posted in the office or other conspicuous place on the premises where such dairy or milk plant is maintained and operated.

Sec. 20. If, after obtaining any such permit, the holder thereof shall change his, its, or their source of supply for milk or cream, such holder shall report such change to said board within five days after making same; and in addition to or in the absence of the imposition of any fine or penalty therefor, failure to make such report shall be sufficient ground for the suspension or revocation of any such permit by said board, at its discretion.

Sec. 21. If at any time it shall be found by the board of hospital and health that the dairy or dairies owned, maintained, or operated by the holder of or applicant for a permit under this ordinance, or the dairy or dairies from which such holder or applicant obtains milk or cream, wholly or in part, whether owned, maintained, or operated by such holder or applicant or by others, and whether located in Kansas City or elsewhere, or the milk plant owned, maintained, or operated by such applicant or permit holder, covered or proposed to be covered by any such permit, wherever located, is in any respect insanitary, unclean, filthy, or diseased, or that the dairy herd from which any part of the milk or cream handled, sold, or delivered by such applicant or permit holder is diseased, or not cared for or fed or inspected in conformity with the requirements of this ordinance, or that the milk or cream for any such dairy, dairy farm, or milk plant covered by such permit or proposed to be covered by such permit, is adulterated, unwholesome, or misbranded, or is being handled in any unclean or insanitary manner, or that the provisions of this ordinance or the lawful rules and regulations of said board are not being complied with by such applicant or permit holder, or by any agent or employee of such applicant or permit holder, in the course of his said employment, then such permit, if not yet issued, shall be refused; or, if theretofore issued, such permit may, upon a hearing as herein provided, be summarily revoked.

In any such case where a permit has heretofore been issued and remains in force, the said board shall, upon discovery of any of the facts or conditions hereinbefore in this section mentioned, issue a notice to the holder of such permit to remedy or abate the conditions in question, and to appear before the board, on a day named in such notice, and show cause why such permit should not be revoked.

At any such hearing the board shall have power to compel the attendance of witnesses and the production of books, papers, or other evidence.

If the permit holder so notified shall fail to appear in accordance with said notice, or if upon such hearing the board shall find that such conditions have not been abated, or that the requirements of this ordinance or the agreements set out in section 16 hereof are not being complied with by the holder of such permit, then in such case said board shall at once revoke such permit.

Sec. 22. No person, firm, or corporation shall employ as manager, superintendent, or foreman, or in any equivalent position, in any dairy, dairy farm, or milk plant in which milk is produced, handled, or sold, or distributed for use or consumption in Kansas City, any person to whom a permit under this ordinance has been refused, or whose permit to sell or handle milk or cream under this or any other ordinance has at

any time been revoked, unless such person shall at the time of the issuance of a permit to the person, firm, or corporation employing him, or at the time of his employment if after the date of such permit, file with the board his personal agreement to conform to all the requirements of this ordinance in the course of his said employment.

Any violation of the requirements of this section by either employer or employee shall constitute sufficient ground for the refusal or revocation of a permit to or of such employer.

SEC. 23. All powers of inspection given to the board of hospital and health by the charter and ordinances of Kansas City may be exercised by said board through its officers, inspectors, or representatives outside the limits of Kansas City in all cases where consent thereto is had from the owner or person in charge of the place or premises to be inspected.

A refusal to give such consent by any such owner or person in charge shall be sufficient ground for said board to refuse, and it shall so refuse, to grant or continue in force a permit, as provided in this ordinance, to any person, firm, or corporation selling, offering for sale, delivering, or handling milk or cream from such place or premises.

SEC. 24. If any person, firm, or corporation shall obstruct, refuse, or deny any lawful inspection of his, their, or its dairy, milk plant, or premises, or the cows or equipment thereof within the limits of Kansas City, by said board or its representatives, such obstruction, refusal, or denial shall be sufficient ground for the refusal or revocation of a permit to such person, firm, or corporation, and it shall be the duty of the board to so refuse or revoke such permit in such case.

Any person, firm, or corporation so obstructing, refusing, or denying any such lawful inspection shall be guilty of a misdemeanor and be punished as hereinafter provided.

SEC. 25. The tuberculin test called for and referred to in the score card shown in section 18 of this ordinance shall be made by a veterinarian designated or approved by the board of hospital and health, or by an officer of the United States or of the State where such tests are made whose duty it may be to make such tests, at least once a year, and the result of such tests shall be filed with the board within 10 days after being made.

All cows which react to such test shall be at once removed from the herd and kept isolated, and no milk or cream from any such cow shall be sold or offered for sale.

No new cow shall be added to any herd from which milk or cream is being obtained for sale or delivery in Kansas City until and unless it shall upon a physical examination by such veterinarian be found free from disease and a certificate to that effect shall have been filed with said board.

Failure to comply with the provisions of this section shall make it the duty of the board to refuse or revoke a permit to the person, firm, or corporation owning or having the cow or herd in which such violation occurred.

All tests and examinations provided for in this section shall be made without cost to Kansas City.

SEC. 26. Milk or cream shall not be handled, stored, or kept in any stable, nor in any room which is used for sleeping, dressing, or toilet purposes, or which has direct communication with any such room, nor in any room where sickness exists or which is occupied by a sick person, nor in any room which has been exposed to any contagious or infectious disease until such room has been thoroughly and properly disinfected, nor in any room or place which is in any respect unclean or insanitary.

No person having active tuberculosis, leprosy, open sores, infected eyes, open cancer, or open skin disease of the hands, face, neck, or head, or any venereal disease, or any other infectious or contagious disease, or who is a carrier of any such disease, shall be employed in or about any dairy or milk plant, or shall enter or be permitted to enter any room in any dairy or milk plant where milk or cream is being drawn from the cow, or handled, processed, poured, or bottled.

SEC. 27. Milk and cream of every grade and quality intended for human consumption shall at all times during transportation be in such container, and be so protected, that such milk and cream may be preserved at the temperature and in the wholesome and sanitary condition required by this ordinance.

All milk and cream, of every grade and quality, intended for human consumption shall at all times be so handled, kept, stored, transported, or subjected to any process of bottling, pasteurizing, skimming, or other process permitted by law as to thoroughly and effectively protect such milk and cream from flies, dust, rust, dirt, and all other foreign substances.

Milk or cream shall not be mixed, prepared, poured, or transferred from one container to another in the street or in a vehicle or any railway depot or platform; and the distribution of milk or cream into cans or containers for delivery shall be done at the milk depot or dairy of the person, firm, or corporation having the permit under which such milk or cream is being handled.

Milk or cream for delivery in bulk shall be transported only in covered pouring cans approved by the board of hospital and health. Milk or cream shall in no case be dipped or poured from farmers' cans or stock cans for delivery to the consumer.

SEC. 28. Any dairy, dairy farm, or milk plant within the limits of Kansas City which is insanitary or unclean, or is in direct proximity to and in communication with premises which are insanitary or unclean, or any dairy, dairy farm, or milk plant in which the milk or cream therein produced, handled, processed, pasteurized, bottled, sold, kept, or offered for sale or delivery, is subjected to or exposed to flies, dust, dirt, filth, or insanitary conditions of any sort whereby such milk or cream may become contaminated or made injurious to health, or made the cause, or capable of being the cause, of disease or the spread of disease, is hereby declared to be a nuisance, which may be abated in the manner provided in section 8 of article 14 of the charter of Kansas City.

SEC. 29. It shall be the duty of the board of hospital and health and it shall have the power to adopt uniform rules and regulations for the purpose of effectuating this ordinance and for the effective exercise of the powers and duties imposed on said board by the charter and ordinances of Kansas City.

Said board shall from time to time have such rules and regulations, together with this ordinance, or on separate sheets, printed and shall at all times keep on hand a sufficient number of copies thereof to supply anyone desiring same with a copy.

SEC. 30. It shall be the duty of the board of hospital and health, from time to time, to issue and distribute to all persons desiring same, and to mail to each holder of a permit under this ordinance, bulletins or letters on the subject of dairy management, the handling and distribution of milk and cream, and other matters covered by this ordinance as occasion may arise, and all new rules and regulations made by said board as herein provided, for the purpose of aid and encouragement in the production and distribution of a proper, healthy, and sufficient supply of milk and cream in Kansas City.

SEC. 31. It shall be the duty of the board of hospital and health to make reports from time to time, and not less frequently than once a week if occasion exists to the city counselor of Kansas City, of all violations of this ordinance which may come to the notice of said board; and to prepare and furnish all the evidence which exists in the case which is within the knowledge of said board or its representatives.

SEC. 32. Any person, firm, or corporation who shall, directly or indirectly, give or offer any money, property, gratuity or reward, or any promise, undertaking, or security therefor, to any person in the service or employ of Kansas City, having directly or indirectly any duties in respect to the enforcement of this ordinance, or provided for therein, with the intent to influence such person in the performance of his duties, or to induce him to neglect or omit the performance of any duty in connection therewith, shall be guilty of a misdemeanor, and upon conviction be punished by a fine

of not less than \$25 nor more than \$500; and in addition to such fine shall have any permit theretofore issued to him or it under this ordinance immediately revoked, or if an application for such a permit is pending, same shall be refused.

SEC. 33. This ordinance shall be construed as having been enacted under the police powers of Kansas City, and in furtherance thereof, and as such it shall be liberally construed for the effectuating of its purposes. The various provisions of this ordinance shall not be construed as interdependent.

SEC. 34. The health commissioner and the inspector of food and his deputies, and whoever may at any time be for the time being performing the duties of such officers, in the course of their employment as such, are hereby declared to be the inspectors and representatives of the board of hospital and health within the meaning of this ordinance.

SEC. 35. (a) Each applicant for a permit under this ordinance shall pay for each city milk plant or dairy owned, maintained, or operated by such applicant within the limits of Kansas City, an inspection fee of \$5; and in addition to such fee of \$5 shall pay or cause to be paid an inspection fee of \$2 for each additional dairy or dairy farm from which the applicant obtains or proposes to obtain any supply of grade "A" or grade "B" milk or cream.

(b) Each applicant for a permit under this ordinance shall pay for each milk plant, dairy, or dairy farm owned, maintained, or operated by such applicant outside the limits of Kansas City, Mo., from or in which such applicant obtains or proposes to obtain, sell, or handle grade "A" or grade "B" milk or cream under authority of such permit an inspection fee of \$5, and in addition to such fee of \$5 shall pay or cause to be paid an inspection fee of \$2 for each additional dairy or dairy farm from which such applicant obtains or proposes to obtain any supply of grade "A" or grade "B" milk or cream.

(c) All fees provided for in this ordinance shall be paid to the city treasurer of Kansas City, Mo., and his receipt therefor shall be exhibited to the board of hospital and health at the time of application for the permit or inspection for which such payment was made.

SEC. 36. Any person, firm, or corporation who shall violate any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than \$10 nor more than \$200 for the first offense.

Any person, firm, or corporation who shall a second time be convicted of having violated any of the provisions of this ordinance, if such offense was committed within a period of six months from the date of such first conviction, shall for such second offense be fined not less than \$25 nor more than \$300.

Any person, firm, or corporation who shall a third time be convicted of having violated any of the provisions of this ordinance, if such third offense was committed within six months from the date of such second conviction, or within a year from the date of such first conviction, shall be fined for such third offense not less than \$100 nor more than \$500.

SEC. 37. This ordinance shall take effect 30 days after its approval by the mayor: *Provided*, That all permits now in force which were issued under any existing ordinance governing the sale of milk shall remain in force according to the terms thereof for not longer than 120 days from the date of such approval, unless sooner revoked by said board for reasons provided in this ordinance, other than the failure to obtain a permit as provided herein.

SEC. 38. Ordinance No. 6546, approved November 16, 1910, entitled "An ordinance providing for the registration and licensing of milk and cream dealers and fixing a penalty for the violation thereof," and section 788 of the revised ordinances of Kansas City, and all ordinances or parts of ordinances in conflict with this ordinance in so far as they so conflict are hereby repealed.